

# If You Are Arrested

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Fifth Estate Collective  
American Civil Liberties Union

1966

If you are stopped by the police, or arrested, whether you are guilty or not, you have the same rights. You can protect these rights best if you use this information.

## **If you are stopped by the police:**

1. You may remain silent; you do not have to answer any questions other than your name and address.
2. The police may search you for weapons by patting the outside of your clothing.
3. Whatever happens, you must not resist arrest even if you are innocent.

## **If you are arrested:**

1. As soon as you have been booked, you have the right to complete at least two phone calls—one to a relative, friend or attorney, the other to a bail bondsman.
2. The police must give you a receipt for everything taken from you, including your wallet, clothing, and packages you were carrying when arrested.
3. You must be allowed to hire and see an attorney immediately.
4. You do not have to give any statement to the police, nor do you have to sign any statement you might give them.
5. You must be allowed to post bail in most cases, but you must be able to pay the bail bondsman's fee. If you cannot pay the fee, you may ask the judge to release you from custody without bail, but he does not have to do so.
6. The police must bring you into court or release you within 48 hours after your arrest (unless the time ends on a weekend or holiday, and then they must bring you before a judge the first day court is in session).
7. If you do not have money to hire an attorney, immediately ask the police to get you an attorney without charge.

This card has been issued as a public service of the American Civil Liberties Union to help you protect your rights as a citizen.

Carry it in your wallet, read it, and remember what it says.

# fifth Estate

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