

Police Contact Rights

Dakila has been stopped by a police officer while walking on the sidewalk...

What's wrong officer?

Please stop right there.

Why are you questioning me?

You seem suspicious and I need to search you. What is your name and address?



Dakila did the right thing by asking. A police officer can stop and ask you questions at any time, but unless they are...

ARRESTING or
DETAINING
YOU



INVESTIGATING
YOU FOR A
CRIME



WRITING YOU A
TICKET



They **MUST** let you go if you do not want to talk with them.

Should I give my name and address?



Sometimes you must tell the police your name and address, like when driving a car. Other times, you have no legal obligation to give your name & address **BUT** you may be charged with obstructing justice if they had a right to know your name.

The police may only search you if:

1. The police have a search warrant;
2. You are being detained and investigated by the police for a criminal offence (safety search only);
3. You are being arrested by the police for allegedly committing an offence; and/or
4. You give your permission.

Is this an unlawful search?



SO WHAT NOW?

Officer, I will not give my name and I do not consent to this search. If there is no crime nearby or any reason to stop me, may I leave?

No you can't leave, we just want to talk to you some more.



This type of detention is **UNLAWFUL**

The police officer is detaining Dakila "arbitrarily" or without good reason. They can only detain you if they believe that you are connected to a recent or ongoing criminal offence.

As a next step, Dakila should **NOT** physically resist, to avoid being charged with resisting arrest or assault.



Dakila should instead focus on their right to speak to a lawyer for advice.