

Dear everyone at Occupy events:

These are the 10 points about talking with the police that **everyone** in your group must know by heart. Make sure every single person knows and obeys these rules.

1. **Shut up.** Do **not** try to explain anything. The **only** words out of your mouth are from the points below. Don't try to convince them that they're wrong about the law. Don't start talking about your rights. Be prepared for this to be very uncomfortable; ignoring someone is not pleasant. Many cops are perfectly nice people who should be joining your ranks — but you are *not* interacting with them socially, you're interacting with them *as a suspect*. If you're "left alone" in/near a cop car or jail, **you are being recorded**. Even if you think it makes you look good, or you feel like an asshole for not responding to the nice cop just doing his job: just **shut the fuck up**. Seriously.

If you get asked any questions, **especially** if you're in cuffs, there is exactly **one** phrase you ever say: "I'm going to remain silent and I want to talk to a lawyer." Keep repeating it if they continue. That'll help make them stop asking you.

2. **Don't snitch.** Trust your buddies not to snitch. Snitching will *not* help you. They *will* play you against each other, including showing you a fake confession from your friends; don't believe it. Don't speak on anyone else's behalf, don't say anything about what someone else did or didn't do, *even if* you think it makes them look innocent.

3. **Don't lie.** Cops can and will lie to you (so don't trust 'em), but not vice versa. Lying alone will land your ass in jail.

4. **Don't resist or be rude.** Don't even passively resist, like by going limp. Never, ever, ever, ever physically resist the cops. At least in the US, you're not at risk of being randomly shot *unless* you resist. You will get better treatment if you cooperate.

5. **Don't insist on Miranda warning.** You don't have any right to it unless you're about to be interrogated anyway. By the time you're arrested they probably already have enough, so they don't *need* to ask you anything. *Getting* Mirandized is actually against your interest; if you *aren't* then they might fuck up. So again, **shut up**.

6. **Don't agree to any search.** Say explicitly, if they make any move whatsoever to pat you down, search your stuff, look in your pockets, etc: "I do not consent to a search." When asked *why*, just repeat yourself. Don't empty your pockets; that's a search too! However, **do not resist**; if they search you anyway, let them. It'll get thrown out in court if you were right; you'll go to jail if you resist no matter what.

7. **Show ID when asked** unless you're certain that you are in a state that doesn't require it. If in doubt, clearly tell the officer e.g. "I'm happy to comply with that if it is a lawful order and I am required to by law, but I will not do so voluntarily." If they say you have to, do. You'll get it thrown out later if they didn't have the right to insist.

8. **Have your lawyer's phone number written on your arm.** All of your stuff will be taken away if you get booked, before you get your phone call. Find a criminal defense lawyer at <https://www.martindale.com>, call them to verify that they'll serve for your group if needed, and distribute the number.

9. **Be patient.** It'll take time; they might take you down for questioning (remember to **say nothing**); etc. Keep your cool.

10. **Know your detention status.** The US police interactions you can have are: purely "**voluntary**" interaction (can walk away at any time; still get interviewed; might be seriously intimidating); **Terry stop** (patdown for weapons only); detention

("reasonable suspicion", temporarily not free to go, no right to search, possible handcuffs for "officer safety"), and arrest ("probable cause", right to search everything on you and nearby, definite handcuffs, possible Miranda warning).

Ask the officer "am I being detained, or am I free to go?"; if they say you're being detained, don't pester them about whether you're *under arrest*, because they just told you what your status is. If they don't answer or say you're free to go or "just talking", tell them that as far as you know you're not being detained and **start walking away**. If they stop you, then they have *de facto* detained you, which you can use against them in court.

Finally, if at all possible:

11. **Videotape everything.** Have two people who are *not* involved tape it from opposite angles, at least a few feet away. They are not to interact with or interfere with you or the police in any way; their job is *strictly* documentation, in case you need it in court or for your media campaign.

They *should* try to get a good shot of the officer's badges, so you can ID them later, without interfering. If possible, try getting closer footage or asking names when they're *not* busy making the arrest, so they're calmer.

12. **Coordinators must not participate in any action** that could get them in trouble, even if it's the morally right thing to do. This includes documenters, liaisons, and lead organizers. Their job is not to protest; it's to *help* the protesters, and you can't do that if you're in handcuffs.

There is one and **only one reason** you should ever be talking to the police, in their professional capacity: if you are the designated police liaison.

If you are, again, don't say anything about what anyone did or didn't do. Stick exclusively to *business* matters. Figure out what the other side wants and how you could give it to them in a way that minimally inconveniences your group. If they want clear passage of the sidewalk, move. If they want to clean the park, help them! (You should be helping make the park better anyway.) Be reasonable; don't just be obstinate on principle. But likewise, don't be bullied; if you're certain that their request is unreasonable, tell them you'll get back to them, *check with your lawyer*, and then come back saying that no, that's not going to happen.

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Stay safe and **SHUT UP**.

Sincerely,
Sai