The background of the entire page is a photograph of a brick wall. The bricks are light-colored, possibly white or light grey. Overlaid on the wall is graffiti in bright yellow and black. The graffiti consists of large, bold, blocky letters, some of which are partially visible and cut off by the edges of the frame. The overall aesthetic is urban and gritty.

# FEEL THE HEAT

**CHANGING THE POLICE CLIMATE  
IN YOUR COLLEGE COMMUNITY**

A report by the NAACP Youth and College Division  
and the Thurgood Marshall Legal Society.

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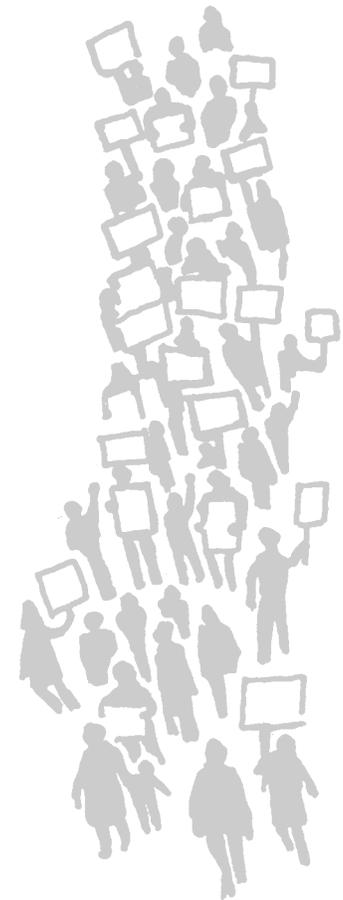
## Acknowledgments

We would like to extend our gratitude to Molly Totman and Rose Daniels for their valuable editorial and technical assistance. Many thanks also to Wade Patton, Linda Lydia, Tony Mitchell, Gary Bledsoe, King Downing, Dwight Steward, Drew Dupuy, and Eva Owens for their input and contributions.

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May 2005

**DEAR READER:**

When young people are empowered, change is sure to follow. Students and other young people can make a remarkable impact – both on their own futures and society as a whole – with the choices they make today. And as students begin to speak out against racial injustice, laws and policies can change and begin to work for them – not against them.

Across Texas, students and other young people are recognizing that they too have a voice in the future of this state. Many young people are also recognizing that the current criminal justice system has had a negative impact on our communities. Ironically, the very system that is designed to make us feel safer can pose a threat to our own safety and security. This is most often experienced by young people of color: because of the neighborhood we come from or the color of our skin, we are singled out by the police for extra scrutiny. Racial profiling – the targeting of a person or a community because of race or ethnicity – is un-American and unjust, and it fosters mistrust and tension between the community and the police that serve them.

We know that racial profiling is a fact of life. It represents the latest phase of discrimination in a long history of racial injustice and anti-immigrant sentiment. However, we, like our elders before us, have hope for change. We have a vision of justice that we are working towards together.

In an effort to encourage a sense of advocacy and responsibility among young adults, we are releasing *Feel the Heat: Changing the Police Climate in Your College Community*. The organizations that collaborated to produce this manual are concerned about the impact of profiling on young people – and especially the impact of profiling in college towns and university communities. We’ve traveled the state and heard many stories of profiling on campuses and in college towns. This should raise serious concerns among members of university and local communities. College and university towns take pride in fostering an environment that encourages learning and scholastic achievement, as well as diversity within their student populations. Racial profiling on campus or in town makes students of color feel unsafe and unwelcome in the community and threatens a healthy academic environment.

We see this manual as a first step in addressing the problem of racial profiling on college campuses and in college towns. This manual gives a preliminary look at racial disparities in the stop and search rates reported by university police departments, as well as the rates reported by law enforcement agencies in surrounding areas. Though the racial disparities you'll see may be explained by other factors besides profiling, the police – and the government agencies and university administrations that oversee them – have a duty to the community to ensure that they are investigated to determine whether profiling is indeed a cause for concern. These statistics offer the first glimpse at possible discriminatory treatment on college campuses, and they warrant further discussion and action by university communities.

The final section of this manual offers advice and tips for students and student groups, campus administrators, faculty, local government agencies, law enforcement, and community members – we want you to know how to create proactive approaches to racial justice on college and university campuses and in surrounding communities. We have also included crucial information for all community members on your rights during an encounter with law enforcement.

It is our sincere hope that these suggestions will be discussed and implemented and that you, the reader, stay in touch with us, as we work together to address this pressing issue and move towards real and positive change in our college communities.

Sincerely,

*Elizabeth Washington*  
Outreach Coordinator  
Texas Conference of NAACP Branches  
and Texas Criminal Justice Coalition

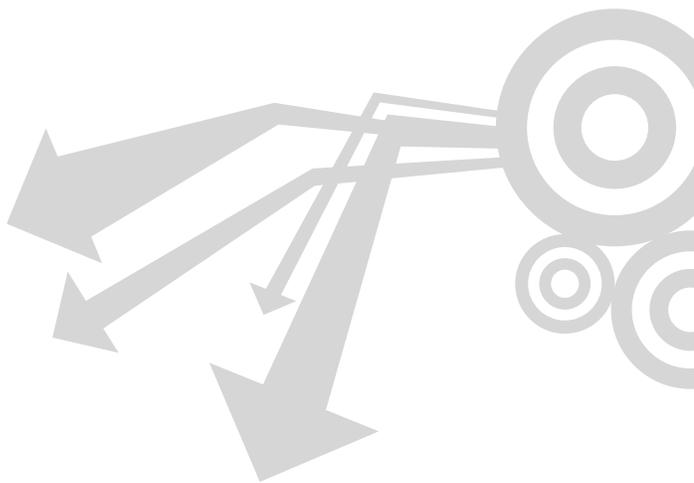
*Kenavon Carter*  
President  
Thurgood Marshall Legal Society, University of Texas School of Law

*Calvin Davis*  
Criminal Justice Chair  
Texas NAACP Youth and College Division

**The NAACP** believes strongly that future leaders must be developed today, and such development is ongoing in the Youth & College Division, created in 1936. The purpose of the NAACP Youth and College Division is to advance the economic, educational, social, and political status of Africans in the Diaspora and other people of color, to stimulate an appreciation of the African American contribution to US civilization, and to develop an intelligent and militant youth leadership. Contact Linda Lydia, Texas Director: [Llydia@sbcglobal.net](mailto:Llydia@sbcglobal.net)

**The Thurgood Marshall Legal Society** (TMLS) strives to increase the number of African-American students at the University of Texas School of Law by participating in recruiting programs and reaching out to high school and college students. TMLS is also committed to helping incoming African-American law students transition to law school by offering moving and housing information, sponsoring 1L academic workshops, and providing upper class mentors. Contact TMLS at [tmls@mail.law.utexas.edu](mailto:tmls@mail.law.utexas.edu) or 512.232.1393.

**The Texas Criminal Justice Coalition** (TCJC) brings together concerned individuals and organizations to advocate for a more effective and fair system of criminal justice in our state. Our mission is to build a strong and united movement for criminal justice reform according to the principles of human and civil rights, effective management and accountability, and public safety. We seek to educate and empower individuals to become more effective advocates for themselves and their communities. The Coalition works to facilitate and amplify the work of its 4,000 supporters and 22 community partner organizations. Contact TCJC at [info@criminaljusticecoalition.org](mailto:info@criminaljusticecoalition.org) or 512.441.8123.



# WHAT YOU NEED TO KNOW

## WHY DID WE CONDUCT OUR STUDY?

In early 2004, Kevin Blackstone, a sports columnist for *The Dallas Morning News*, wrote an article posing an important question: Why does Texas A&M continue to lose local black recruits to other universities? His answer, in part, was this: It is due to the way that black students are treated on and around the campus area – including how they're treated by the police. Mr. Blackstone cited a statewide study published by Texas civil rights groups<sup>1</sup> which found that police departments in the Bryan-College Station area were stopping and searching Blacks and Latinos at rates higher than Anglos.

The *Dallas Morning News* article inspired the idea for our study – why not examine how university police departments and other local departments are treating Texas college students and local residents of color?

## HOW DID WE CONDUCT OUR STUDY?

Under SB 1074, a 2001 state law, all public law enforcement agencies in Texas are required to collect data on the race of those they stop and search. Agencies are also required to report that information to their local governing bodies. To gather the data for our study, we filed open records requests under the Texas Public Information Act; we sent these letters to 85 university police departments, requesting a copy of the report that each department gave to its governing body for the previous calendar year.

Although we attempted to get racial data from every campus police department in Texas, we were unable to do so – 13 departments did not respond

to our requests for information; most had very small datasets, meaning they conducted less than 30 searches during the calendar year, and thus their data was statistically insignificant and unusable. Likewise, we were unable to gather data from private colleges and universities; under Texas law, they are not required to collect or report on racial data. Ultimately, only 8 departments had workable datasets; these are the departments we've provided information about on the following pages.

You'll note that the analysis of university police departments contains information only on racial disparities in search rates. We have focused specifically on searches because they represent the situations where police officers are investigating people for serious criminal activity (such as the possession of drugs or weapons), and thus warrant and require heightened scrutiny to determine any presence of discriminatory practices.

### Note!

If you attend a private university where racial profiling data is not being collected by the campus police, you should work with your administration and police department to require the collection of that information.

## TAKE ACTION!

You can use the Texas Public Information Act to get documents from public agencies, including the police. For instance, racial profiling reports, individual citations, policies, and procedures are just a few examples of documents available through an open records request.

*See Appendix A for information on filing your own open records request under the Texas Public Information Act.*

<sup>1</sup>Racial Profiling: Texas Traffic Stops and Searches; prepared by Steward Research Group on behalf of the Texas Criminal Justice Reform Coalition, the ACLU of Texas, NAACP of Texas, and Texas LULAC; February 2004; available at [www.criminaljusticecoalition.org](http://www.criminaljusticecoalition.org).



## WHAT DID WE FIND?

On the next two pages, we will show you what police search rates look like on 8 Texas university campuses. Where available, we have also provided the more specific “**consent search**” rates – the rates at which individuals are searched by the police without legal justification (like a warrant or probable cause). In addition, we have supplied similar information about each university’s respective local city police department and county sheriff’s department, so you have a fuller picture of how people of color are being treated on and around each campus<sup>2</sup>.

For the most part, you’ll see that university and local law enforcement agencies reported consistently high racial disparities in Black and Latino search rates. In fact, approximately 3 out of 4 agencies reported searching Blacks and Latinos at higher rates than Anglos following a traffic stop: 81% of agencies searched Blacks at higher rates than Anglos, while 76% of agencies searched Latinos at higher rates than Anglos. Consent search findings are similar: 76% of agencies consent searched Blacks at higher rates than Anglos, while 84% of agencies consent searched Latinos at higher rates than Anglos.

As noted earlier, these racial disparities could be indicative of serious racial profiling – but they could also be explained by factors unrelated to race. It is imperative that law enforcement, as well as the agencies and universities that oversee them, inquire further into the source of these disparities and take action based on the findings.

Read the last section of this manual, *What You Can Do to Stop Racial Profiling*, to find out what actions you can take to help eliminate profiling practices and other racial injustices on your college campus and in your surrounding community.

## WHAT’S A CONSENT SEARCH?

“**Consent searches**” occur when an officer asks for permission to search an individual or his vehicle (i.e., to look for contraband), despite having **no probable cause or legal basis** to do so. In Texas, reporting by local departments shows that minorities are asked to consent to searches most often. Furthermore, a preliminary review of the contraband “hit rates” (contraband seizures) from consent searches does not indicate that these searches are proving fruitful – suggesting they are likely an ineffective and inefficient use of law enforcement time and resources<sup>2</sup>.

JUST SAY NO...to Consent Searches.

You have the right to say “NO” to a request for a search of your person or vehicle. Remember this rule of thumb: if a police officer asks you for permission for a search, then he or she does not have a legal basis for the search. See *Appendix C for your rights with the police*.

## UNDERSTAND THE RATES

The relative “search likelihood” was calculated for each department by dividing the percentage of Blacks or Latinos who were searched following a traffic stop by the percentage of Anglo drivers searched following a stop. A Black search rate of 1.2 means the department searched Blacks 20% more frequently than they searched Anglos; a rate of 1.5 means the department searched Blacks 50% more frequently than they searched Anglos, etc.

## CONSIDER THIS

**UNDER-REPORTING MAY BE A PROBLEM IN YOUR AREA. ALWAYS CONSIDER THAT, FOR YOUR POLICE DEPARTMENTS, THERE MAY BE UNDER-REPORTING OF STOPS OR SEARCHES. FOR INSTANCE, LATINOS MAY HAVE BEEN COUNTED AS ANGLOS (A FREQUENT PROBLEM); LIKewise, DEPARTMENTS MAY NOT NECESSARILY BE TRACKING ALL STOPS OR INTERACTIONS, OR THEY MAY LACK PROPER AUDITING PROCEDURES THAT WOULD NORMALLY GUARD AGAINST DATA PROBLEMS.**

**TIP: FIND OUT ABOUT YOUR DEPARTMENT’S DATA COLLECTION PROCEDURES: DO THEY COLLECT DATA ON ALL STOPS? JUST ON STOPS THAT RESULT IN A CITATION? DO THEY AUDIT THEIR YEARLY REPORTS?**

<sup>2</sup>This data was provided in the report, *Don’t Mind If I Take a Look, Do Ya? An Examination of Consent Searches and Contraband Hit Rates at Texas Traffic Stops*, produced by Dwight Steward and Molly Totman on behalf of ACLU of Texas, NAACP Texas, LULAC Texas, and TCJC; February 2005; available at [www.criminaljusticecoalition.org](http://www.criminaljusticecoalition.org).

# RACIAL PROFILING DATA FROM TEXAS UNIVERSITIES

## SAM HOUSTON STATE UNIVERSITY

### BEARKATS

SHSU Police Department: Blacks are **1.8 times more likely** than Anglos to be searched following a stop, while Latinos are **1.2 times more likely** than Anglos to be searched. Blacks are **twice as likely** as Anglos to be consent searched following a stop, while Latinos are **equally as likely** as Anglos to be consent searched.

Huntsville Police Department: Blacks are **1.5 times more likely** than Anglos to be searched following a stop, while Latinos are **1.8 times more likely** than Anglos to be searched. Blacks are **1.7 times more likely** than Anglos to be consent searched following a stop, while Latinos are **twice as likely** as Anglos to be consent searched.

Walker County Sheriff's Department: Blacks are **2.6 times more likely** than Anglos to be searched following a stop, as well as **2.6 times more likely** than Anglos to be consent searched following a stop. The Sheriff's Department reported no searches of Latinos.

## STEPHEN F. AUSTIN STATE UNIVERSITY

### LUMBERJACKS

SFASU Police Department: Blacks are **less likely** than Anglos to be searched following a stop, at a rate of 0.3, while Latinos are **equally as likely** as Anglos to be searched.

Nacogdoches Police Department: Blacks are **1.6 times more likely** than Anglos to be searched following a stop while Latinos are **less likely** than Anglos to be searched, at a rate of 0.6. Blacks are **1.6 times more likely** than Anglos to be consent searched following a stop, while Latinos are **slightly**

**less likely** than Anglos to be consent searched, at a rate of 0.9.

Nacogdoches County Sheriff's Department: Blacks are **1.6 times more likely** than Anglos to be searched following a stop, while Latinos are **less likely** than Anglos to be searched, at a rate of 0.6. Blacks are **1.6 times more likely** than Anglos to be consent searched following a stop, while Latinos are **slightly less likely** than Anglos to be consent searched, at a rate of 0.9.

## TEXAS A&M UNIVERSITY<sup>3</sup>

### AGGIES

College Station Police Department: Blacks are **2.1 times more likely** than Anglos to be searched following a stop, while Latinos are **1.5 times more likely** than Anglos to be searched. Blacks are **2.7 times more likely** than Anglos to be consent searched following a stop, while Latinos are **2.6 times more likely** than Anglos to be consent searched.

Brazos County Sheriff's Department: Blacks are **2.2 times more likely** than Anglos to be searched following a stop, while Latinos are **1.6 times more likely** than Anglos to be searched. Blacks are **2.2 times more likely** than Anglos to be consent searched following a stop, while Latinos are **1.9 times more likely** than Anglos to be consent searched.

## TEXAS STATE UNIVERSITY

### BOBCATS

TSU Police Department: Blacks are **slightly more likely** than Anglos to be searched following a stop, at a rate of 1.1, while Latinos are **equally as likely** as Anglos to be searched. Blacks are **1.2 times more likely** than Anglos to be consent searched following a stop,

while Latinos are **1.6 times more likely** than Anglos to be consent searched.

San Marcos Police Department: Blacks are **less likely** than Anglos to be searched following a stop, at a rate of 0.8, while Latinos are **1.5 times more likely** than Anglos to be searched.

Hays County Sheriff's Department did not break out searches by race, making it impossible to determine the rates at which different racial groups were searched.

## TEXAS TECH UNIVERSITY

### RED RAIDERS

TTU Police Department: Blacks are **1.4 times more likely** than Anglos to be searched following a stop, while Latinos are **slightly less likely** than Anglos to be searched, at a rate of 0.9. Blacks are **slightly less likely** than Anglos to be consent searched following a stop, at a rate of 0.9. The University Police Department reported no consent searches of Latinos.

Lubbock Police Department: Blacks are **5.4 times more likely** than Anglos to be searched following a stop, while Latinos are **2.3 times more likely** than Anglos to be searched. Blacks are **2.4 times more likely** than Anglos to be consent searched following a stop, while Latinos are **1.5 times more likely** than Anglos to be consent searched.

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<sup>3</sup> Although the Texas A&M University Police Department conducted no searches of Blacks or Latinos – making racial comparisons impossible – we chose to provide you with information for their local police and sheriff's department because an article about their university ultimately inspired our study.

Lubbock County Sheriff's Department: Blacks are **3.3 times more likely** than Anglos to be searched following a stop, while Latinos are **1.6 times more likely** than Anglos to be searched. Blacks are **5.5 times more likely** than Anglos to be consent searched following a stop, while Latinos are **2.1 times more likely** than Anglos to be consent searched.

## TEXAS WOMAN'S UNIVERSITY

### PIONEERS

TWU Department of Public Safety: Blacks are **2.9 times more likely** than Anglos to be searched following a stop, while Latinos are **1.8 times more likely** than Anglos to be searched.

Dallas Police Department<sup>4</sup>: Blacks are **2.1 times more likely** than Anglos to be searched following a stop, while Latinos are **3 times more likely** than Anglos to be searched. Blacks are **2.7 times more likely** than Anglos to be consent searched following a stop, while Latinos are **2.8 times more likely** than Anglos to be consent searched.

Dallas County Sheriff's Department<sup>5</sup>: Blacks are **1.4 times more likely** than Anglos to be searched following a stop, while Latinos are **1.7 times more likely** than Anglos to be searched. Blacks are **less likely** than Anglos to be consent searched following a stop, at a rate of 0.8, while Latinos are **1.9 times more likely** than Anglos to be consent searched.

## UNIVERSITY OF HOUSTON

### COUGARS

UH Police Department: Blacks are **2.9 times more likely** than Anglos to be searched following a stop, while Latinos are **3.2 times more likely** than Anglos to be searched.

Houston Police Department: Blacks are **3.2 times more likely** than Anglos to be searched following a stop, while Latinos are **2.5 times more likely** than Anglos to be searched. Blacks are **3.6 times more likely** than Anglos to be consent searched following a stop, while Latinos are **1.9 times more likely** than Anglos to be consent searched.

Harris County Sheriff's Department: Blacks are **1.3 times more likely** than Anglos to be searched following a stop, while Latinos are **equally as likely** as Anglos to be searched. Blacks are **1.4 times more likely** than Anglos to be consent searched following a stop, while Latinos are **slightly more likely** than Anglos to be consent searched, at a rate of 1.1.

## UNIVERSITY OF NORTH TEXAS

### EAGLES

UNT Police Department: Blacks are **slightly less likely** than Anglos to be searched following a stop, at a rate of 0.9, while Latinos are **1.5 times more likely** than Anglos to be searched. Blacks are **equally as likely** as Anglos to be consent searched following a stop, while Latinos are **2.7 times more likely** than Anglos to be consent searched.

Dallas Police Department<sup>6</sup>: Blacks are **2.1 times more likely** than Anglos to be searched following a stop, while Latinos are **3 times more likely** than Anglos to be searched. Blacks are **2.7 times more likely** than Anglos to be consent searched following a stop, while Latinos are **2.8 times more likely** than Anglos to be consent searched.

Dallas County Sheriff's Department<sup>7</sup>: Blacks are **1.4 times more likely** than Anglos to be searched following a stop, while Latinos are **1.7 times more likely** than Anglos to be searched. Blacks are **less likely** than Anglos to be consent

sought following a stop, at a rate of 0.8, while Latinos are **1.9 times more likely** than Anglos to be consent searched.

## UNIVERSITY OF TEXAS

### LONGHORNS

UT Police Department: Blacks are **less likely** than Anglos to be searched following a stop, at a rate of 0.8, while Latinos are **2.4 times more likely** than Anglos to be searched.

Austin Police Department: Blacks are **3.4 times more likely** than Anglos to be searched following a stop, while Latinos are **2.3 times more likely** than Anglos to be searched. Blacks are **5.1 times more likely** than Anglos to be consent searched following a stop, while Latinos are **2.7 times more likely** than Anglos to be consent searched.

Travis County Sheriff's Department: Blacks are **1.5 times more likely** than Anglos to be searched following a stop, while Latinos are **1.5 times more likely** than Anglos to be searched. Blacks are **1.5 times more likely** than Anglos to be consent searched following a stop, while Latinos are **1.5 times more likely** than Anglos to be consent searched.

<sup>4</sup> Denton Police Department did not break out data by racial totals, making it impossible to determine the rates at which different racial groups were searched. Furthermore, the department did not report on consent searches. As such, we have provided data for a neighboring county.

<sup>5</sup> Denton County Sheriff's Department did not break out all data by race, making it impossible to determine the rates at which different racial groups were searched. As such, we have provided data for a neighboring county.

<sup>6</sup> Denton Police Department did not break out data by racial totals, making it impossible to determine the rates at which different racial groups were searched. Furthermore, the department did not report on consent searches. As such, we have provided data for a neighboring county.

<sup>7</sup> Denton County Sheriff's Department did not break out all data by race, making it impossible to determine the rates at which different racial groups were searched. As such, we have provided data for a neighboring county.

# WHAT YOU CAN DO TO STOP RACIAL PROFILING

Over the past few months, young leaders from the Campaign to End Racial Profiling have been touring college campuses throughout Texas to teach students about their rights with the police. These “Know Your Rights” seminars have taught students valuable lessons, including what to do when you’re pulled over by a police officer.

Student reaction to the seminars has been very positive. Not only are students learning about their rights (some that students didn’t even know they had!), but they’re being given a forum to discuss racial profiling issues – like the war on drugs, and the history of racial discrimination in this country. Likewise, students are being given the opportunity to express concerns about their local and university police departments. For instance, some students have complained about “selective enforcement” – being harassed by officers while driving on the “wrong” side of town or while partying at the “wrong” house. Others have expressed frustrations with police chiefs who claim that their departments don’t have a problem with racial profiling. Some have even noted that police officers have improperly recorded the race of individuals detained during traffic and pedestrian stops.

It’s time to start taking a more proactive approach to discriminatory policing in your college community. For the next several pages, we’ve suggested ways that you can take action to make your campus and college community a safer place for all students.

## ORGANIZING ON YOUR CAMPUS

### ORGANIZE A “KNOW YOUR RIGHTS” TRAINING WORKSHOP

A “Know Your Rights” workshop is a great opportunity for you or your organization to teach students and community members about the rights they have when interacting with law enforcement. These workshops can take place at various points throughout the semester and at various locations on or off campus. For instance, you can encourage your university administrators to hold a workshop on campus during student orientation, so that incoming students are aware of how they should behave if stopped by the police – both on campus, as well as when they return home during breaks. You could also hold a seminar at a town hall or community center to reach out to other community members, including parents and high school students.

Whenever and wherever you choose to hold a workshop, we can provide a speaker to lead the presentation, or we can help to sponsor the event. Call the Texas Criminal Justice Coalition for more information (*contact information*

#### KNOW YOUR RIGHTS

Organizing a “Know Your Rights” workshop on campus can be a great activity at the beginning of the year – you can make sure that new and returning students are aware of what to do when interacting with the local or campus police. If you’d like, we can provide a trainer and other materials for your event.

on page 4). Or, if you or your organization choose to organize the event on your own, you can invite a knowledgeable criminal defense or civil rights attorney to help answer questions during the presentation.

**I definitely feel better prepared. There were things I didn’t know. I didn’t know that as a citizen you have a right to refuse to be [consent] searched.**

—Jermelia Petty, freshman, after attending an NAACP “Know Your Rights” seminar at Texas A&M.

At your event, we highly recommend that you show the educational film “BUSTED,” a 45-minute video (available on VHS and DVD) that explains your rights with the police by using various scenarios showing typical police-public interactions (e.g., getting stopped in your car by a police officer). For a copy, contact the Flex Your Rights organization at [info@flexyourrights.org](mailto:info@flexyourrights.org), or call 202.986.0861.

In addition to showing the video, you can distribute the ACLU’s pocket-sized *What To Do If You’re Stopped By the Police* bust cards. Call the Texas Criminal Justice Coalition to order some cards, or download and make copies of the cards at: <http://www.aclu.org/profiling>.

Note that there is also a copy of the card at the back of this manual that you can remove and make additional copies of.

## SUCCESS STORY: Sam Houston State University, Huntsville

In the fall of 2003, students on Sam Houston State University's campus had had enough: they were tired of constantly being harassed by local police officers. They decided to do something about it.

That fall, the College NAACP Chapter on campus hosted a town hall meeting for the University's students. They invited the President of the State NAACP Conference, as well as other NAACP members and a statistician, to discuss the state of racial profiling on their campus. At the meeting, leaders informed students about their rights with the police by distributing the ACLU's pocket-sized bust cards (*see page 9*), along with police incident cards (*see action step at right*). Furthermore, leaders called on participants to appoint a group of students to meet with the Huntsville Chief of Police, where they could come together and discuss tactics used by police officers when interacting with university students. As a result of that follow-up meeting, the Police Chief vowed to speak to his officers about profiling practices, and he added a notice on the department's website: "This department supports the 77th Texas Legislature's mandate prohibiting racial profiling in Texas."

Following the meetings, students have been pulled over and harassed less frequently by their local police. One student even remarked that he'd been pulled over only once since the meetings, whereas prior to the events he was routinely pulled over once a week.

**As a result of being made aware of their rights, and by acting in a proactive manner to address the problem of racial profiling head on, students' rights have been better protected.** At the same time, local police have been able to more efficiently spend their time preventing actual criminal behavior.

## COLLECT AND TELL YOUR STORIES

Telling personal stories of injustice is a powerful tool in making change. Such stories help people identify with the problem of racial profiling, and they motivate people to fight for reform. Furthermore, they can be used to file complaints with the school or local police department, and they can be drawn on by the media (local TV, school paper, etc.) if an individual is needed to highlight the issue. Finally, a particularly powerful story can be used during a press conference or campus awareness event, or used for legislative testimony. As such, personal racial profiling stories should be collected and shared with other students, campus administrators, allies, local government officials, and the media – everyone should know that this is happening to students in their own communities.

Begin collecting stories on incidents of racial profiling from your classmates and community members. It is important to ask the person who was profiled to write down the events as

they happened; you can also transcribe the story for them. Ensure that you get information on the date, time, and location of the incident, as well as any other key details you feel are necessary (e.g., language used by the officer, officer badge number, etc.). If your organization has a website, you can create a link to a form where events of the racial profiling incidents can be recorded.

Furthermore, you can let civil rights organizations know how you've been mistreated by the police; like student groups, we also need to collect stories for potential use in the media or before the legislature. We'd like to know if you've experienced a problem with the police. Email your story to [ProjectStoryBank@yahoo.com](mailto:ProjectStoryBank@yahoo.com). It will not be shared without your express permission.

Finally, for an especially effective means of collecting stories, read the action step to the right.

## DISTRIBUTE "INCIDENT" CARDS TO STUDENTS AND COMMUNITY MEMBERS

Some NAACP Youth branches have already begun to distribute racial profiling incident cards to students – and you can do the same. These cards, which students should keep in their cars or wallets, are used to record information about traffic stops that students are involved in. More specifically, the cards ask for the officer's name and badge number, as well as the time and place of the stop. Students should record all information, and later re-submit the filled-in card to the distributing group (i.e., the local NAACP branch, etc.). That way, the group can track who is being pulled over, and may be able to monitor the accuracy of a department's data collection process by verifying that the police department is properly recording individuals' races on citation forms.

Incident cards are a great way to generate written stories – and with both in hand, the group may have powerful evidence to bring to a police department or administration that is denying a problem with racial profiling. This is a common tactic taken by police agencies to suppress the problem: a department can dismiss concerns by claiming they've experienced only "isolated incidents." Without evidence, they can deny a systemic problem. We know that when racial profiling exists, it takes a whole institution to support it. We can counter the myth of "isolated incidents" by collecting incident cards and stories.

For a copy of an incident card that you can print off and distribute, go to [www.criminaljusticecoalition.org](http://www.criminaljusticecoalition.org).

## BRING THE MESSAGE

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Thinking creatively and outside of the box can drum up major support for an educational, anti-profiling campaign. Sometimes, it can be hard to get administrators or students to focus their attention on this critical problem. Below are some different tactics you can use to draw awareness to the problem or to create more popular support against it, especially if traditional means aren't having the desired effect. Remember, one great thing about a campus is that it's a small space and a small community – it doesn't take a lot to create “buzz” about your issue.

For instance, you can raise awareness about racial justice issues on your campus by printing t-shirts with powerful messages on them. Have students wear them during “Prospective Students Week” – it will be sure to make an impression on folks seeking to attend your university. Who wouldn't remember seeing students wearing identical shirts printed with one message (i.e., “Out of 100 faculty members, none of them are black”)? Likewise, a shirt that points out that people of color are more likely than Anglos to be searched by the local or university police would send a similar message to new students.

You could also start a poster campaign to raise awareness of your issue – just pick a series of messages to print on colored paper. Decide a theme: maybe it's myths and facts about race or the criminal justice system; maybe it's racial profiling statistics for your local departments. Each message should be short – no more than one sentence. Print each message in bold, clear letters on brightly colored paper, and pick one day to cover your campus with the posters. Before long, everyone will be talking about it; your school newspaper might even cover it. All you need is colored 8 ½ x 11 paper, use of a copy machine, and some tape!



Another suggestion: project a documentary or movie about a race-related topic on the wall of a building on campus; for instance, you could show the documentary “BUSTED” (see page 9). Rent or check out the LCD video projector from your school or library's A/V department, and find a wall of a building uninterrupted by windows or doors. You'll need at least 7' x 7' of space on the wall to get a quality picture. Be sure to pick a night when students will be on campus – and to ensure a bigger crowd, it's important that the building is near a walkway or path that students frequently use. Have some fellow students bring lawn chairs or, if available, project the movie in a space that offers picnic benches. Make sure to get permission from the campus to use the space.

Don't be discouraged if folks don't stay for the whole movie – your efforts will still raise awareness about your group and causes. It will also give you a chance to collect names and contact information of supporters, as well as the chance to pass out information and create dialogue about the issues you are trying to raise.

These are just some ideas, but we know you can think of many more!

## ESTABLISH A STANDING MEETING TO DISCUSS THE LOCAL STATE OF RACIAL PROFILING WITH KEY LEADERSHIP

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By letting town and University officials know that you're in this battle for the long haul, you'll make a stronger and more professional impression on those in the best position to help you. We suggest that you hold a meeting – both at the beginning of each semester, as well as at the halfway point in the semester – to discuss the current state of policing on your campus and in your town. Invite leadership from each key group that has a stake in the issue: campus administration, city council members, campus and local law enforcement, allied student organizations, and community organizations. Participants will be able to discuss new problems that have cropped up throughout the past few months, as well as continue to address longstanding problems that require a more long-term solution.

If you feel that the presence of police officers would initially chill various topics of discussion, don't feel that you must invite them to the first few meetings. But if it ultimately seems you

**One great thing about a campus is that it's a small space and a small community – it doesn't take a lot to create “buzz” about your issue.**

would have a more productive discussion with members of law enforcement in attendance, ask them to join you for the discussion. By showing that spirit of cooperation, police officials may be more willing to work with you in the development of proposals to fight racial profiling.

### **APPROACH CAMPUS ADMINISTRATORS WITH A LONG-TERM PLAN TO FIGHT RACIAL PROFILING**

Again, making it known that you're committed in your determination to end biased-based policing will have a greater impact on University officials. Let them know that you recognize that the problem of racial profiling isn't going to be fixable with one training or event, but instead will take both time and a concerted effort on the part of administrators and law enforcement. Set up goals that you expect to happen by certain points – these may include the increased collection of data by the police (*see page 15*), the establishment of a student civilian review board to monitor and verify the data collected, and the continuation of ongoing quarterly meetings and “Know Your Rights” seminars (*see page 9*). Regularly review these goals and hold folks accountable for meeting them.

If you have more than one college or university in your town, you can create a partnership with other local schools. That way, you will be able to approach your respective administrators with similar long-term plans to ensure a more coordinated and effective campaign against racial profiling in your town. Furthermore, by partnering with other schools, you will have the opportunity to discuss key issues that need to be addressed on each campus as well as in your town as a whole, and you can share advice and experiences about strategies that have worked well on your own campuses when dealing with law enforcement or administrators in the past.

### **ORGANIZE AN ADVOCACY-AWARENESS WEEK TO MORE FULLY BRING RACIAL PROFILING ISSUES TO THE ATTENTION OF STUDENTS AND THE MEDIA**

Though it will take a lot of planning, an entire week focused on racial justice or anti-profiling efforts will definitely help raise awareness of your issues and mobilize support for them. Certainly, the week can include some of the action steps mentioned throughout this manual – including a “Know Your Rights” training, the distribution of incident cards, meetings with campus administrators, speaker presentations, movie screenings, or a party on campus to raise money for your efforts. Creating a week of activities will help draw more students to your efforts and raise interest among local media.

You can focus the week more broadly on general racial justice issues – with racial profiling as one key topic to be addressed. This will help the community connect the dots between racial

issues. For instance, you can devote each day of the week to a different topic, such as diversity and affirmative action, racism in the criminal justice system, immigration issues, or access to health care – and concentrate just one day on racial profiling. By broadening the scope of the awareness week to racial justice issues in general, you may draw more support – and from different or unlikely groups. Ask various departments or offices to be co-sponsors so you can afford to bring in an outside speaker or print T-shirts for the event.

This is a great project for your campus NAACP Chapter, ACLU Chapter, LULAC Young Adult Council, and other allied groups to take part in. If you do not already have efforts in place to tackle campus climate problems, an advocacy awareness week offers great issues to organize around. Make sure to plan well in advance so your event will truly be a success!

## **REACHING OUT TO YOUR COMMUNITY**

### **PARTNER WITH ALLIES ON CAMPUS AND IN THE COMMUNITY**

Racial profiling is a problem that affects all people of color: Blacks, Latinos, Asian Americans, Native Americans, Arabs, Muslims, South Asians. By eroding the rights of some, profiling threatens to take a community down a slippery slope of eroding freedom and justice. In other words, racial profiling is not just a Black or Latino issue. As you work to address problems with racial profiling in your communities, it is important to develop campus and local allies. By working with and supporting groups that are either already fighting against bias or are interested in starting, you can help to ensure that more people in the community are aware of their constitutional rights and freedoms.

For instance, does your campus have an International Students organization? A Black Student association or Muslim Student association? A student NAACP chapter or LULAC council? Reach out to these organizations that may also be concerned about bias and discrimination in your area, and try to ally with them in your fight against racial profiling.

Find out more about each organizations' priorities and concerns; listen to members' experiences and identify common ground. Remember that different groups will offer different levels of support. For instance, some students may feel uncomfortable speaking publicly because of their immigration status. Other groups may help publicize your events among their members, but may not be able to afford the time

to be involved at the planning level. Respect the ways that different groups want to be involved in your efforts.

Always keep in mind: there is power in numbers. In addition to campus groups, you should identify community organizations or leaders who are working to address racial justice issues. Chances are, if you are experiencing racial profiling as a student, community members are also experiencing harassment. Possible organizations include neighborhood associations, civil rights groups, churches, and other civic groups.

Just as with student groups, you should meet with these new partners to discuss common concerns and lay out a plan to work together to address them. Maybe a local community center can host an event for you – or maybe the church can help spread the word about your activities in their bulletin. A local civil rights leader could help you understand the history of racial relations in the community.

**Always keep in mind:  
there is power in numbers.**

The organizations involved in the Campaign to End Racial Profiling also have local chapters. We recommend that you contact your local ACLU chapter, NAACP branch, or LULAC council to join the fight against police abuse. You should also consider contacting regional groups that might be helpful as well.

## WORK WITH THE MEDIA

The media is a critical tool in any effort to create change. It's important to remember that the various forms of media (newspapers, magazines, television, the internet, and radio) are all important ways to share your message and your agenda. In fact, spreading your message through the media can

help you build your base of supporters and put pressure on officials that control law enforcement. We strongly recommend that you use the media for all of your work.

Every step you take can be a possible story for the media, including passing out “Know Your Rights” materials, hosting an event, meeting with administrators, etc. Whenever you decide to take any of these action steps, you should send a media advisory to local reporters, editors, and radio stations via fax and/or email. This advisory should go out 4-7 days before the event. Follow it up with a press release the day of the event (*see Appendix B for a sample press release*). You should also make follow-up calls after you send the release to ensure the station received the information and to field any questions they may have.

In addition to print media, you can also use local TV or radio to help you promote an event to potential attendees. Contact your campus newspaper and any local newspapers about events that people should attend, and try to get local TV stations to cover the various events as well. In addition, you can have campus or local radio stations announce upcoming events, as well as do public service announcements (PSAs) to alert people about the problem of racial profiling and your rights with the police. The better able you are to spread the word about your campaign, the more successfully your events will go off.

You can also use media in other ways to spread the message about folks' rights with the police and the problem of racial profiling:

**Consider wide use of community radio and local radio to spread your message.** Contact hosts and producers of popular shows on student radio, gospel radio, or talk radio; tell them about what you are trying to do, and see if they would be interested in scheduling an interview with you or another leader from your group. Radio shows (and print reporters, too) are always looking to cover important issues in the community.

**Use student media.** Write an opinion piece for your student newspaper about racial profiling. Get an artist to draw a cartoon about profiling and submit it to the student paper. If your campus has a radio station, get student deejays to broadcast PSAs about what to do during police encounters.

**Write a Letter To The Editor about your efforts,** and submit it to your local and regional newspapers. Keep the letter to the newspaper's specified word limit (usually 150 or 200 words), and make sure to email or fax it to the right contact person at the station (e.g., the Opinion Page Editor).

Although working with reporters and other journalists can be daunting at first, it's worth the effort to involve them in your work.



## **PRESSURE THE MEMBERS OF YOUR UNIVERSITY'S GOVERNING BOARD OR YOUR CITY COUNCIL TO SEEK ANSWERS FOR RACIAL DISPARITIES AND GET SOLUTIONS FOR RACIAL PROFILING PROBLEMS**

By law, city councils are required to review stop and search rates by local police departments, and a university's governing board (i.e., its Board of Regents) is required to review the university police department's numbers. In other words, a governing body is responsible for overseeing the department that polices its citizens or students – and that governing body should be made aware of problems or complaints with its police department, and should act to address the problems it sees.

So let the members of these bodies know that you're acting as a watchdog to monitor racial disparities in your police department, and tell them that you want them to do something about your department's discriminatory practices. You should also work with these bodies to implement your list of reforms (see *page 15*).

NOTE: It's important to ensure that a paper trail is created to record your interactions. Follow up meetings and calls with a fax or letter, and keep a copy of these written documents. Furthermore, if a group on your campus is distributing and re-collecting incident cards (see *page 10*), that group should also be furnished with a copy of the documents for their records.

## **WORK WITH YOUR STATE LEGISLATORS**

Two of the most powerful tools that you have as a student are your vote and your voice. You have the power to elect public officials and the power to influence their decisions at the State Capitol in Austin. Remember, elected officials are public servants, chosen by the community to serve its needs.

## **TAKE ACTION!**

Remember, you don't have to do it all – there are a lot of suggestions here for activism. You or your organization may not have the time or resources to attempt each one. Decide what you have the capacity to do and go with it. And when making your decisions, keep in mind the following:

**Pick your priorities.** You can't change racial injustice overnight. But there are many different reforms – big and small – that can take place in your college community. Try to prioritize one or two reforms that you feel will be most effective. This will help you focus your energy and resources, as well as help you to achieve victory over both the short- and long-term.

**Identify a target.** Once you've prioritized your reforms and demands, determine who can actually help you implement them. Although the police might be the possible source of a problem, it may be more helpful to focus pressure on the University governing board since its members are responsible for overseeing the police. The same goes for your local city police department: the mayor hires and fires the police chief – so the mayor or the city council might be a better focus for your pressure.

**Keep a supporter's list.** Throughout your activities, collect the names and contact information of people who support your efforts. That way, folks can be called on or emailed later when you need to publicize new events, send updates of activities, or initiate calls to action.

The Texas Legislature – which meets every two years (again in 2007) – determines many of the laws that govern how police operate, and what our rights are when interacting with the police. If racial profiling is an important issue to people on your campus and in your town, you should call or write to your elected representatives to let them know this is a priority for you – and you want it to be a priority for them. If there is proposed legislation pending that would positively affect your community, you should ask your representatives to support it.

Even when not in session, your state legislators can be important allies in persuading campus administrators to address your concerns. You can ask your state representative or senator to attend an event or speak to your group, or you can organize a delegation of students to visit them at their home

district offices. These are effective means of communicating with your state officials and lobbying for their continued support on this issue.

For help in determining what bills have been filed or what representatives should be contacted, contact the Texas Criminal Justice Coalition (*contact information on page 4*).

To learn about the content and status of bills online, and to learn more about past and upcoming committee hearings, you can visit the Texas Legislature Online at [www.capitol.state.tx.us](http://www.capitol.state.tx.us).

Finally, you can find out what Senators and Representatives represent you and your district by entering your zip code at [www.capitol.state.tx.us/fyi/fyi.htm](http://www.capitol.state.tx.us/fyi/fyi.htm). You will be provided with your members' names and full contact information.

# MAKING YOUR POLICE DEPARTMENTS ACCOUNTABLE

## EXAMINE EXISTING DATA FOR YOUR DEPARTMENTS, AND BRING YOUR CONCERNS TO THE ATTENTION OF THE GOVERNING BODY THAT OVERSEES THEM

As we've noted earlier, you can send an open records request to a police department to get data on the race of the people that a particular department stops and searches. (See *Appendix A for more information about the Texas Public Information Act.*) For instance, you can request a copy of the annual report that each law enforcement agency is required to submit to its local governing body; the report should contain the compiled numbers of those stopped and searched by the department. Review the data collected by your campus and local departments – if you find racial disparities among those searched, you have cause for concern. For help with data analysis, you can contact the Texas Criminal Justice Coalition (*contact information on page 4*).

It's imperative that your university leadership, as well as your city and county leadership, examine why disparities exist. Develop a list of questions you have about the data, the department's collection process, and other issues related to potential profiling. You can bring this list with you to your first meeting with campus administration, or you can talk to your police chief and sheriff about your concerns.

## COLLECT OTHER IMPORTANT INFORMATION REQUIRED OF YOUR DEPARTMENT

Under an open records request, you can also get a copy of a department's required policy on racial profiling, as well as a copy of their mandatory complaint process and a list of complaints made. Like a department's annual racial profiling report, these documents are public information, and they will help you get a fuller picture of a department's policing practices.

To learn more about what departments are required to do under Texas law, you should familiarize yourself with SB 1074, Texas' existing racial profiling law. Its provisions are fully explained in the manual *Racial Profiling in Texas: What You and Your Community Need to Know*. You can download a copy of the manual at [www.criminaljusticecoalition.org](http://www.criminaljusticecoalition.org).

## CREATE A LIST OF REFORMS TO DEMAND

Based on any problems that you see locally, you can create a checklist of reforms that you would like to see addressed by campus administration and community officials. Specifically, you could ask the following of your departments:

- **Require trainings for officers on how to prevent profiling.**
- **Require police to educate the community about profiling and their rights.**
- **Require data auditing.** When it comes to a department's data collection process, simple and low-cost auditing procedures can and should be put in place to ensure against human error, technical errors, and data tampering.
- **Collect information on all stops** (*explained more fully below*).
- **Analyze officer-level data.** Departments should use officer-specific data internally as part of a comprehensive early warning system to guard against racial profiling. Even if legitimate reasons explain racial disparities in searches, such judgments can only be made in an individual – not a department-wide – context.
- **Update disciplinary procedures.** Any officer who has received a sustained racial profiling complaint should be appropriately and quickly disciplined. We recommend suggesting termination as a mandatory penalty – but as a fallback position, suggest a 3-day suspension for a first offense along with mandatory re-training, a 10-day suspension for a second offense, and termination for a third offense.
- **Ban consent searches.** Texas data suggests that these discretionary “no cause” searches not only yield high racial disparities, but that they are likely an ineffective and inefficient use of law enforcement resources.

When creating your list of suggested reforms, make sure to include input from your ally groups so you can be united in your demands for change.

## ENCOURAGE YOUR CAMPUS AND LOCAL POLICE DEPARTMENTS TO COLLECT RACIAL INFORMATION ON ALL STOPS MADE BY POLICE

Right now, Texas' racial profiling law requires police departments to collect racial data only on stops that lead to a citation or arrest – not on stops that lead to a warning or merely to a person's release without action. That means that police officers could be stopping certain groups

of people in large numbers, harassing them, and letting them go – without having to record any racial data for them. It also means that someone who is harassed and let go may have a hard time succeeding with a racial profiling complaint, because the department would have little or no paperwork for that stop.

However, you can lobby your city/university officials to require the department to collect more data – data on *every* stop it makes. Furthermore, you can request that mandatory data collection include the following elements: data on every search made (whether or not discretionary), data on contraband findings, and data on the resident-status of those stopped. Detailed data collection is the key to identifying race-based practices. If successful with your lobbying efforts, you'll be able to get a more accurate picture of what is happening at stops, and the police department will be more accountable for its actions.

Again, to find out more information about Texas' racial profiling law, you can read *Racial Profiling in Texas: What You and Your Community Need to Know*, available at: [www.criminaljusticecoalition.org](http://www.criminaljusticecoalition.org).

## FILE A RACIAL PROFILING COMPLAINT WITH THE POLICE DEPARTMENT IF YOU FEEL YOU'VE BEEN PROFILED

Police departments in Texas are required by law to have a complaint process available. Furthermore, the law requires departments to retain any audio or visual recording of a stop for 90 days or until a complaint has been fully investigated. So, if you feel you've been mistreated by the police, file a timely complaint in writing at the police station – while the department still has its audio/visual account of the stop. And if you've filled out an incident card (*see page 10*), remember to take that with you when filling out your complaint form. The more information you have, the more likely that your complaint can be properly resolved.

For more strategies to use in response to a negative interaction with an officer, you can request a copy of the manual titled *Stand Up! What to do if you are a victim of police abuse in Texas*, available for \$6.95 (including shipping and handling). Please order the manual by contacting the Texas Criminal Justice Coalition (*contact information on Page 4*).

# APPENDIX A

## OPEN RECORDS REQUESTS UNDER THE PUBLIC INFORMATION ACT

The Public Information Act (PIA) provides a mechanism for citizens to inspect or copy government records. This includes data collected police and sheriff's departments. In fact, any information collected, assembled, or maintained by or for a governmental body is subject to the PIA. NOTE: the format of the record (paper, electronic, etc.) does not affect its status as a public record.

When asking for information from a police or sheriff's department under the PIA, put your request in writing and address it to the governmental body. While the request does not need to be

addressed to any particular person, it is a good practice to clearly label your correspondence as a "Public Information Request" or "Open Records Request." Requests sent via fax or email must be addressed to the public information officer or to the person designated by that officer to receive such requests.

Although no "magic language" is required to trigger the PIA, you should try to make the request as clear and specific as possible. This will enable the governmental body to identify exactly what information you are requesting. If a request is unclear or very broad, the governmental body may ask the request-

or to more clearly identify or narrow his or her request.

The PIA provides that a governmental body must respond "promptly" to a request for information. If a governmental body is unable to produce the requested information within ten business days, the officer for public information must send you correspondence certifying that he is unable to do so and he must set a date and time when the records will be available to you.

We have provided a sample open records request below for you to use as a guideline.

### *Sample Open Records Request*

Date

[CHIEF/SHERIFF NAME] or [PUBLIC INFORMATION OFFICE]  
[AGENCY – *Police or Sheriff's Department*]  
[ADDRESS]

To Whom It May Concern:

I respectfully request, pursuant to the Texas Public Information Act, any documents related to your law enforcement agency's racial profiling data collection procedures.

I am requesting the following item(s):

- 
- *If necessary, list any more specific requests for information here.*
- 

Pursuant to the Texas Public Information Act, you have 10 business days from receipt of this open records request to produce the requested information. If you cannot provide this information, you must send me correspondence certifying that you are unable to do so and must set a date and time when the records will be available.

Please contact me at [PHONE NUMBER] with any questions or concerns. Furthermore, please **provide notification of any costs before they are incurred**. Remit all documents to the address below. Thank you for your time and consideration in this matter.

Sincerely,  
[Name and Address]

# APPENDIX B

## SAMPLE PRESS RELEASE

We have provided a sample press release below for you to use as a guideline.

### Press Release

FOR IMMEDIATE RELEASE  
Friday, May 20, 2005

Contact: Elizabeth Washington  
(512) 441-8123

#### **STUDENTS ORGANIZE AGAINST RACIAL PROFILING AT COLLEGES ACROSS TEXAS**

Students given University profiling statistics, recommendations for organizing for racial justice

(Austin, TX) – A new manual for students, **to be released at a press conference at noon on Saturday, May 21st, in the Johnny Roberts Room at the Samuel Walker Houston Cultural Center** (located at 1604 10th Street in Huntsville, Texas), will provide campus groups and student leaders with a tool for organizing against racial profiling on their campuses and in their communities. The manual, *Feel the Heat: Changing the Police Climate in Your College Community*, provides racial profiling search statistics for the police departments at eight major Texas Universities, as well as the search statistics for each University's local city police department and county sheriff's department. The manual also offers a variety of on- and off-campus recommendations for students and their administrations – proactive approaches to addressing racial injustices in college communities.

The manual, commissioned by the Texas NAACP Youth and College Division, and the Thurgood Marshall Legal Society (TMLS) at the University of Texas School of Law, reveals that the majority of university and local departments searched both Blacks *and* Latinos at rates greater than or equal to whites. Consent search findings are similar: approximately 3 of the 4 agencies that provided usable information searched both Blacks and Latinos with consent at rates greater than or equal to the rates at which whites were searched with consent.

“Racial profiling on college campuses has a deleterious effect on young African-Americans and Latinos,” said Gary Bledsoe, President of the Texas State NAACP. He cited the successes experienced by those at Sam Houston State University in Huntsville, where students have been working with administrators and local police to address police harassment issues. “Racial injustice is more and more of a problem, but we need to have more students like those at Sam Houston State University to make sure that this is not a problem.”

Kenavon Carter, President of TMLS, noted the usefulness of the manual and the potential for change in Texas college communities: “Racial profiling discriminates according to skin color. It doesn't skip African-Americans or Latinos who are in college. By using this manual – the only one of its kind in Texas – students can effectively organize around this important issue on their campuses and in their communities.”

The manual and additional materials are available online at [www.criminaljusticecoalition.org](http://www.criminaljusticecoalition.org). For interviews with authors or other spokespersons, contact Elizabeth Washington at (512) 441-8123, or [ewashington@criminaljusticecoalition.org](mailto:ewashington@criminaljusticecoalition.org).

###

que le pregunte al juez con respecto a esta posibilidad. Lo deben llevar ante un juez al día hábil judicial siguiente al de su arresto.

5. No tome decisión alguna sobre su caso en particular hasta que haya consultado a un abogado.

#### EN SU VIVIENDA

1. Si la policía golpea a su puerta y le solicita ingresar a su vivienda, usted no está obligado a permitirle el ingreso a menos que tenga una orden de allanamiento firmada por un juez.
2. Sin embargo, en algunas situaciones de emergencia (como por ejemplo, cuando una persona grita pidiendo ayuda desde el interior de la vivienda, o cuando la policía está persiguiendo a alguien) los oficiales de policía pueden ingresar a su vivienda y registrarla sin una orden de allanamiento.
3. Si lo arrestan, la policía puede registrarlo y registrar el área circundante. Si se encuentra en un edificio, el término "área circundante" normalmente se refiere sólo a la habitación en la que usted se halla.

Todos reconocemos la necesidad de un cumplimiento efectivo de la ley, pero debemos entender nuestros propios derechos y responsabilidades, especialmente con respecto a nuestras interacciones con la policía. Todos, incluyendo los menores de edad, tienen derecho a que la policía los trate amable y respetuosamente. Si se violan sus derechos, no trate de enfrentar la situación en el lugar de los hechos. Posteriormente puede hablar con un abogado, o presentar una denuncia ante el Departamento de asuntos internos o la Comisión de quejas por asuntos civiles.

#### Producido por la American Civil Liberties

**EVITE LA DISCRIMINACIÓN RACIAL.** Informemos si lo han detenido debido a su origen racial o étnico mientras conducía o caminaba. **Llame al 1.877-6-PROFILE o visite la página Web actu.org/profiling, para obtener información sobre individualización y trato arbitrario.**

9/2004

## Qué Debe Hacer Si La Policía Lo Detiene

Ella cuidadosamente sus palabras: controle sus movimientos, gestos físicos y reacciones.

Nunca discuta con la policía. Recuerde que todo lo que usted diga o haga puede ser usado en su contra.

Mantenga las manos donde el oficial de policía pueda verlas. No trate de huir. No toque a ningún oficial de policía. No oponga resistencia aun cuando crea que es inocente. No proteste en el lugar de la detención ni le diga al oficial que ha cometido un error o que presentará una queja. No realice declaración alguna con respecto al incidente. Solicite un abogado inmediatamente al momento del arresto. Recuerde los números de placa de los oficiales y los del patrullero.

Ante todo lo que recuerde **¡AN PRONTO COMO SEA POSIBLE!** Trate de encontrar testigos y anote sus nombres y números de teléfono.

Si resulta lesionado, tome fotografías de las lesiones tan pronto como lo sea posible, pero primero asegúrese de buscar atención médica.

Si cree que se han violado sus derechos, presente una denuncia por escrito ante el departamento de asuntos internos del distrito policial o la comisión de quejas por asuntos civiles o comuníquese con la línea directa de ACLU llamando al **1.877-6-PROFILE**.

**¡MANTENGA ESTA TARJETA A MANO! PUEDE PROTEGERLE EN CASO DE UN ENCUENTRO CON LA POLICÍA.**



#### SI LO DETIENEN EN SU AUTOMÓVIL

1. Cuando se lo soliciten, presente su licencia de conducir, el registro y el comprobante del seguro del automóvil. En algunos casos, su automóvil puede ser registrado sin una orden de allanamiento siempre que la policía considere que existe causa probable. Para proteger sus derechos en el futuro, debe indicar claramente que usted no autoriza dicho registro. Es ilegal que la policía lo arreste sólo por negarse a autorizar que le registren el automóvil.
2. Si recibe una multa, firme la: si no lo hace puede ser arrestado. Siempre puede llevar el caso a los tribunales más adelante.
3. Si se sospecha que conduca en estado de ebriedad (DWI, por su sigla en inglés) y se niega a someterse a un análisis de sangre, orina o prueba de alcoholhemia, le pueden suspender su licencia de conducir.

#### SI LO ARRESTAN O LO TRASLADAN A UNA ESTACION DE POLICIA

1. Tiene derecho a no contestar las preguntas y a hablar con un abogado antes de hablar con la policía. Sólo proporcione su nombre y domicilio a la policía. No ofrezca explicaciones, excusas o historias. Tendrá oportunidad de presentar su defensa más adelante, ante los tribunales, de acuerdo con lo que usted y su abogado consideren más conveniente.
2. Solicite un abogado inmediatamente. Si no cuenta con los recursos económicos para contratar los servicios de un abogado, tiene derecho a obtener representación legal gratuita y debe preguntarle al oficial de policía como comunicarse con un abogado. No diga nada si su abogado no se encuentra presente.
3. Dentro de un período razonable después de su arresto, o de la inscripción del arresto, tiene derecho a realizar una llamada telefónica local: a un abogado, una persona que pague la fianza, un familiar o cualquier otra persona. La policía no puede escuchar la conversación telefónica con el abogado.

4. En algunas ocasiones lo pueden poner en libertad sin fianza alguna, o le pueden reducir el monto de la fianza. Indíquele a su abogado que le pregunte al juez con respecto a esta posibilidad. Lo deben llevar ante un juez al día hábil judicial siguiente al de su arresto.
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5. No tome decisión alguna sobre su caso en particular hasta que haya consultado a un abogado.

#### EN SU VIVIENDA

1. Si la policía golpea a su puerta y le solicita ingresar a su vivienda, usted no está obligado a permitirle el ingreso a menos que tenga una orden de allanamiento firmada por un juez.
2. Sin embargo, en algunas situaciones de emergencia (como por ejemplo, cuando una persona grita pidiendo ayuda desde el interior de la vivienda, o cuando la policía está persiguiendo a alguien) los oficiales de policía pueden ingresar a su vivienda y registrarla sin una orden de allanamiento.
3. Si lo arrestan, la policía puede registrarlo y registrar el área circundante. Si se encuentra en un edificio, el término "área circundante" normalmente se refiere sólo a la habitación en la que usted se halla.

Todos reconocemos la necesidad de un cumplimiento efectivo de la ley, pero debemos entender nuestros propios derechos y responsabilidades, especialmente con respecto a nuestras interacciones con la policía. Todos, incluyendo los menores de edad, tienen derecho a que la policía los trate amable y respetuosamente. Si se violan sus derechos, no trate de enfrentar la situación en el lugar de los hechos. Posteriormente puede hablar con un abogado, o presentar una denuncia ante el Departamento de asuntos internos o la Comisión de quejas por asuntos civiles.

#### Producido por la American Civil Liberties

**EVITE LA DISCRIMINACIÓN RACIAL.** Informemos si lo han detenido debido a su origen racial o étnico mientras conducía o caminaba. **Llame al 1.877-6-PROFILE o visite la página Web actu.org/profiling, para obtener información sobre individualización y trato arbitrario.**

9/2004

## Qué Debe Hacer Si La Policía Lo Detiene

Ella cuidadosamente sus palabras: controle sus movimientos, gestos físicos y reacciones.

Nunca discuta con la policía. Recuerde que todo lo que usted diga o haga puede ser usado en su contra.

Mantenga las manos donde el oficial de policía pueda verlas. No trate de huir. No toque a ningún oficial de policía. No oponga resistencia aun cuando crea que es inocente. No proteste en el lugar de la detención ni le diga al oficial que ha cometido un error o que presentará una queja. No realice declaración alguna con respecto al incidente. Solicite un abogado inmediatamente al momento del arresto. Recuerde los números de placa de los oficiales y los del patrullero.

Ante todo lo que recuerde **¡AN PRONTO COMO SEA POSIBLE!** Trate de encontrar testigos y anote sus nombres y números de teléfono.

Si resulta lesionado, tome fotografías de las lesiones tan pronto como lo sea posible, pero primero asegúrese de buscar atención médica.

Si cree que se han violado sus derechos, presente una denuncia por escrito ante el departamento de asuntos internos del distrito policial o la comisión de quejas por asuntos civiles o comuníquese con la línea directa de ACLU llamando al **1.877-6-PROFILE**.

**¡MANTENGA ESTA TARJETA A MANO! PUEDE PROTEGERLE EN CASO DE UN ENCUENTRO CON LA POLICÍA.**



#### SI LO DETIENEN EN SU AUTOMÓVIL

1. Cuando se lo soliciten, presente su licencia de conducir, el registro y el comprobante del seguro del automóvil. En algunos casos, su automóvil puede ser registrado sin una orden de allanamiento siempre que la policía considere que existe causa probable. Para proteger sus derechos en el futuro, debe indicar claramente que usted no autoriza dicho registro. Es ilegal que la policía lo arreste sólo por negarse a autorizar que le registren el automóvil.
2. Si recibe una multa, firme la: si no lo hace puede ser arrestado. Siempre puede llevar el caso a los tribunales más adelante.
3. Si se sospecha que conduca en estado de ebriedad (DWI, por su sigla en inglés) y se niega a someterse a un análisis de sangre, orina o prueba de alcoholhemia, le pueden suspender su licencia de conducir.

#### SI LO ARRESTAN O LO TRASLADAN A UNA ESTACION DE POLICIA

1. Tiene derecho a no contestar las preguntas y a hablar con un abogado antes de hablar con la policía. Sólo proporcione su nombre y domicilio a la policía. No ofrezca explicaciones, excusas o historias. Tendrá oportunidad de presentar su defensa más adelante, ante los tribunales, de acuerdo con lo que usted y su abogado consideren más conveniente.
2. Solicite un abogado inmediatamente. Si no cuenta con los recursos económicos para contratar los servicios de un abogado, tiene derecho a obtener representación legal gratuita y debe preguntarle al oficial de policía como comunicarse con un abogado. No diga nada si su abogado no se encuentra presente.
3. Dentro de un período razonable después de su arresto, o de la inscripción del arresto, tiene derecho a realizar una llamada telefónica local: a un abogado, una persona que pague la fianza, un familiar o cualquier otra persona. La policía no puede escuchar la conversación telefónica con el abogado.

4. En algunas ocasiones lo pueden poner en libertad sin fianza alguna, o le pueden reducir el monto de la fianza. Indíquele a su abogado que le pregunte al juez con respecto a esta posibilidad. Lo deben llevar ante un juez al día hábil judicial siguiente al de su arresto.
5. No tome decisión alguna sobre su caso en particular hasta que haya consultado a un abogado.

1. Todo lo que le diga a la policía es siempre importante. Todo lo que usted diga puede ser utilizado en su contra y puede ser un motivo para que la policía lo arreste, especialmente si insulta a un oficial de policía.

2. Tiene obligación de presentar su licencia de conducir y el registro del automóvil si lo detienen en un vehículo. Aparte de esto, no tiene obligación de responder a ninguna pregunta si lo detienen o arrestan, salvo por una importante excepción. El oficial de policía puede preguntarle su nombre si usted ha sido legítimamente detenido y, en algunos estados, lo pueden arrestar si se niega a responder. Usted tiene derecho a guardar silencio si, por algún motivo razonable teme que su nombre sea incriminatorio, lo que podría ser utilizado en su defensa en caso de arresto.

3. No está obligado a permitir que lo registren o que registren su automóvil o su vivienda. Si **PRESTA** su consentimiento para que se efectúe el registro, puede afectar sus derechos ante los tribunales. Si la policía dice que tiene una orden de allanamiento, **SOLICITE VER EL DOCUMENTO**.
4. No interfiera con, ni obstruya las tareas de la policía ya que lo pueden arrestar si así lo hace.

#### SI LO DETIENEN PARA INTERROGARLO

1. El negarse a responder las preguntas no constituye un delito, pero puede generar sospechas por parte de la policía. Si le solicitan que se identifique, consulte el párrafo 2 más arriba.
2. La policía puede "palpar" su ropa si se sospecha que tiene un arma escondida. No debe resistirse físicamente, pero debe indicar claramente que usted no autoriza que lo sigan registrando.
3. Pregunte si está arrestado. Si es así, tiene derecho a saber el motivo.
4. No insulte al oficial de policía ni intente huir, aun cuando crea que lo que está ocurriendo es ilógico. Este comportamiento puede provocar su arresto.

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5. No tome decisión alguna sobre su caso en particular hasta que haya consultado a un abogado.

1. Sometimes you can be released without bail, or have bail lowered. Have your lawyer ask the judge about this possibility. You must be taken before the judge on the next court day after arrest.
2. Do not make any decisions in your case until you have talked with a lawyer.

#### IN YOUR HOME

1. If the police knock and ask to enter your home, you don't have to admit them unless they have a warrant signed by a judge.
2. However, in some emergency situations (like when a person is screaming for help inside, or when the police are chasing someone off your property) or allowed to enter and search your home without a warrant.
3. If you are arrested, the police can search you and the area close by if you are in a building, "close by" usually means just the room you are in.

We all recognize the need for effective law enforcement, but we should also understand our own rights and responsibilities – especially in our relationships with the police. Everyone, including minors, has the right to courteous and respectful police treatment. If your rights are violated, don't try to deal with the situation at the scene. You can talk to a lawyer afterwards, or file a complaint with the Internal Affairs or Civilian Complaint Board.

#### Produced by the American Civil Liberties Union.

**ARREST THE RACISM.** Tell us about your race- or ethnicity-based traffic or possession stop. Call 1-877-6-PROFILE or go to [aclu.org/profile](http://aclu.org/profile)

## What To Do If You're Stopped By The Police

Think carefully about your words, movement, body language, and emotions.

Don't get into an argument with the police. Remember, anything you say or do can be used against you.

Keep your hands where the police can see them. Don't run. Don't touch any police officer.

Don't resist even if you believe you are innocent. Don't complain on the scene or tell the police they're wrong or that you're going to file a complaint.

Do not make any statements regarding the incident. Ask for a lawyer immediately upon your arrest.

Remember officers' badge & patrol car numbers. Write down everything you remember ASAP.

Try to find witnesses & their names & phone numbers. If you are injured, take photographs of the injuries as soon as possible, but make sure you seek medical attention first.

If you feel your rights have been violated, file a written complaint with police department's internal affairs division or civilian complaint board, or call the ACLU hotline, 1-877-6-PROFILE

**KEEP THIS CARD HANDY!**  
IF YOU HAVE A POLICE ENCOUNTER,  
YOU CAN PROTECT YOURSELF.



#### IF YOU'RE STOPPED IN YOUR CAR

1. What you say to the police is always important. What you say can be used against you, and it can give the police an excuse to arrest you, especially if you don't match a police officer.
2. You must show your driver's license and registration when stopped in a car. Otherwise, you don't have to answer any questions if you are detained or arrested, with one important exception: The police may ask for your name if you have been properly detained, and you can be arrested in some states for refusing to give it. If you reasonably fear that your name is being withheld, you can claim the right to remain silent, which may be a defense in case you are arrested anyway.
3. You don't have to consent to any search of yourself, your car or your house. If you DO consent to a search, it can affect your rights later in court. If the police say they have a search warrant, **ASK TO SEE IT**.
4. Do not interfere with, or obstruct the police – you can be arrested for it.

#### IF YOU ARE STOPPED FOR QUESTIONING

1. It's not a crime to refuse to answer questions, but refusing to answer might make the police suspicious about you. If you are asked to identify yourself, see paragraph 2 above.
2. Police may "pat-down" your clothing if they suspect a concealed weapon. Don't physically resist, but make it clear that you don't consent to any further search.
3. Ask if you are under arrest. If you are, you have a right to know why.
4. Don't back-tough the police officer or run away, even if you believe what is happening is unreasonable. That could lead to your arrest.

1. Upon request, show them your driver's license, registration, and proof of insurance. In certain cases, you or can be searched without a warrant as long as the police have probable cause. To protect yourself later, you should make it clear that you do not consent to a search. It is not lawful for police to arrest you simply for refusing to consent to a search.
2. If you're given a ticket, you should sign it; otherwise you can be arrested. You can always fight the case in court later.
3. If you're suspected of drunk driving (DWI) and refuse to take a blood, urine or breath test, your driver's license may be suspended.

#### IF YOU'RE ARRESTED OR TAKEN TO A POLICE STATION

1. You have the right to remain silent and to talk to a lawyer before a you talk to the police. Tell the police nothing except your name and address. Don't give any explanations, answers or stories. You can make your defense clear, in court, based on what you and your lawyer decide is best.
2. Ask to see a lawyer immediately. If you can't pay for a lawyer, you have a right to a free one, and should ask the police how the lawyer can be contacted. **Don't say anything without a lawyer.**
3. Within a reasonable time after your arrest, or booking, you have the right to make a local phone call to a lawyer, bail bondsman, a relative or any other person. The police may not listen to the call to the lawyer.

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