

## 5 THINGS TO KNOW IF YOU ARE STOPPED BY THE POLICE



NEW MEXICO  
LAW OFFICES OF THE  
PUBLIC DEFENDER

You always have rights when interacting with the police. The information presented here is intended to educate the community, not provide legal advice.

### 1. YOU HAVE THE RIGHT TO REMAIN SILENT

If you are approached by police, you may politely refuse to speak to them, or ask for your attorney. If you are stopped while driving, you must provide your ID and driving documents. Once you have identified yourself, you are not required to answer any questions without an attorney present.



### 2. YOU CAN LEAVE IF YOU ARE NOT UNDER ARREST

Ask the law enforcement officer if you are being arrested, or say, "If I am not under arrest I would like to leave."

### 3. THE POLICE CAN LIE TO YOU

BUT you should not lie to them. If an officer says something like, "if you talk to me now I can help you out..." they are trying to get you to speak without your attorney. It is in your best interest to wait until your attorney is present to give your statement.



### 4. YOU DO NOT HAVE TO CONSENT TO A SEARCH

If the police ask for consent to search you, your house, your car, or other property, you can say no! In most circumstances, they need a warrant to search without consent.

### 5. YOU HAVE THE RIGHT TO AN ATTORNEY

That's where we come in! If you have been placed under arrest, you have the right to representation. Whether that's a private attorney or a public defender, they are there to help you navigate the next steps after your arrest.



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**Alamogordo** - (575) 551-7209  
**Albuquerque** - (505) 369-3600  
**Aztec** - (505) 386-4060  
**Carlsbad** - (575) 887-0224  
**Clovis** - (575) 219-6323  
**Gallup** - (505) 726-4534  
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Other resources:



<https://www.lopdnm.us/>

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