



## Stay Safe, Savvy When Stopped By Police

It's hard to feel protected or served when mounting numbers of citizens are being shot down by uniformed police officers in cities across America. Policing is a challenging, oftentimes grueling – and dangerous – profession. We can all agree. However, these assaults on everyday citizens have been making the news for two years. The myriad criminal abuses coming to light, often courtesy of citizen-journalists, is a sobering view of what can go wrong when exchanges with police go south.

Here are some common sense tips for staying safe and preserving your rights while interacting with law enforcement:

- **Use your tools.** Keep calm and follow instructions. It is essential that people of color, especially, behave as professionally as possible. Your smart phone is your best friend: Turn it on. Press *record* discretely on your voice recorder or video camera, but *do* turn it on before the officer arrives at your window.
- **Know the law.** If you are in a vehicle and have been asked to exit, in Texas you must get out, under provisions of the Texas Transportation Code and the Texas Penal Code. There are some states where a motorist has the right to refuse to leave his/her car, but Texas is not one of those states!
- **Just say no.** If asked to submit to any sort of screening (breath, blood draws or field sobriety testing), you should decline. A positive result will get your license suspended and result in your likely conviction for driving while under the influence. Remember: Police vehicles are equipped with cameras, and some officers have cameras on their bodies during your stop, so your performance on these videos is used as evidence by the prosecutor when your case goes to trial. Declining a field sobriety test will result in you going to jail, but you do have a Fifth Amendment right not to incriminate yourself.
- **Be quiet.** Once in custody, do not speak to the police until you have an attorney present.
- **Always do the right thing.** Keep your hands where officers can see them at all times. Consider keeping your insurance card in your car's sun visor and your driver's license and/or ID in your phone case, to minimize movement during a stop. If you're

being chased by a police officer in your vehicle or on foot, do not run! You're going to go to jail for evasion or resisting arrest. If you're drinking, do not drive. Uber, Lyft and local taxi services are available if you can't find a designated driver before your night out on the town ends.

Tax-paying, law-abiding citizens shouldn't have to fear law enforcement. However, we are obligated to arm ourselves with information.

### *LIFE in the SPOTLIGHT*



#### **What To Do Next:**

Confronting family law issues can be overwhelming and stressful. Knowledgeable family attorneys do much more than represent their clients. These trusted professionals understand that choices made during the legal process can drastically affect life afterward. For everyone involved.

#### [Kimberly D. Moss](#)

Law Offices of Kimberly D. Moss, PLLC

3 Sugar Creek Center Blvd., Suite 100

Sugar Land, TX 77478

[\(713\) 574-8626](tel:(713)574-8626)

Connect with us!

