## How Do You Make a Complaint Against a Police Officer?

*For complaints about:*

- Unnecessary use of force
- Abuse of authority
- Discourtesy or offensive language

Contact the Civilian Complaint Review Board (CCRB)- an independent agency that monitors police behavior-by phone, letter or in person at:

40 Rector Street, 2nd Floor
New York, New York 10006
(212) 442-8833
(800) 341-2272

***For complaints about:***

- Serious Misconduct
- Corruption

Notify the New York City Police Department's Internal Affairs Bureau (IAB) by phone, letter or in person at:

315 Hudson Street, 3rd Floor
New York, NY 10013
(212) 741-8401 (24 hours a day)

Complaints can also be filed at any precinct or police facility.

## When Filing A Complaint...

Be sure to include as much information as possible, including:

- Officer's name
- Shield number
- License plate number
- Description of Officer (height, weight, scars, tattoos, etc.)
- Day, approximate time, and place the encounter took place
- Names of other witnesses

You may file your complaint anonymously, but providing your name will greatly assist investigators to obtain all relevant information.

## To Report A Positive Experience With A Police Officer...

Contact the officer's commanding officer at his or her precinct, police service area, or transit district.

Alternatively, contact the Office of Community Affairs at:

New York City Police Department
Community Affairs Bureau
One Police Plaza, Room 200
New York, New York 10038
(646) 610-5323

## To Give Input To Your Local Precinct...

- To comment on local crime, quality of life and police-community relations concerns, and to meet your local precinct commander, you can attend your local precinct's community council meetings, which are monthly meetings open to all members of the public.
- You may also contact the local precinct's community affairs officer.

Office of Community Affairs

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# Your Rights and Responsibilities When Interacting With the Police:

## *A Community Guide*

### NYPD MISSION

The Mission of the New York City Police Department (NYPD) is to enhance the quality of life in our City by working in partnership with the community and in accordance with Constitutional rights to enforce the law, preserve the peace, reduce fear, and provide a safe environment for all people who live, work or visit the City.

**Michael R. Bloomberg, Mayor**
**Raymond W. Kelly, Police Commissioner**

Police interact with the public for many different reasons. They may, for example, think a person has committed - or has information about - a crime. Sometimes they believe that a person needs help, or they may simply want to warn someone about a potentially dangerous situation. Remember that each situation is unique, and police officers must alter their response to fit the circumstances.

This brochure provides very basic information on the rights and responsibilities of the public and police during the most common types of encounters. For more information, contact an attorney or a local legal advocacy organization.

## When Can An Officer Stop You?

Under New York State law, police officers have the right to stop and question you if they have reason to suspect that you have committed, are committing, or are about to commit a crime. There are also many circumstances when the police can ask you general questions, such as your name, as long as they can give a reason why they are asking the questions.

If police officers reasonably suspect that you are carrying a weapon, they have the right to pat down your clothing to look for it.

In addition, police officers may stop your car:

- If you have committed a traffic violation.
- If they reasonably suspect that you have committed, are committing, or are about to commit a crime, or
- At a DWI or safety checkpoint.

*Police officers are not permitted to use race, religion, or ethnicity as the only reason for taking police action.*

## What Should A Police Officer Do If He Or She Stops You?

- Explain why you are being stopped.
- Give you his or her name and shield number, upon request.
- Be courteous and respectful.

If you are arrested, the police are entitled to ask you your name, address, telephone number, and other identifying information without telling you what your rights are.

## How Should You Behave When Interacting With the Police?

- Remain calm.
- Keep your hands visible.
- Be courteous and respectful.
- Don't physically resist arrest, even if you think the police are wrong.

### *If You Are Stopped In Your Car...*

- If asked, show your driver's license, proof of insurance and registration.
- If asked, you and *your* passengers must get out of the car.

## What Are Your Rights When Interacting With The Police?

*(These rights belong to non-citizens as well as citizens)*

### *If you are stopped or arrested by the police...*

- You have a right to remain silent. You cannot be punished for refusing to answer questions by the police. However, the police may become more suspicious of you if you do not answer their questions.
- If you decide to speak with the police, anything you say can be used against you in court.
- You have the right to talk to a lawyer before you answer questions. If you cannot afford an attorney, the government will provide one for you.

### *If the police want to search your home, business or vehicle...*

- Generally, the police require a search warrant. However, there are exceptions (e.g. when an emergency exists or when a person gives consent to search). A search warrant is a legal document signed by a judge that authorizes the police to enter a particular home, business or vehicle to search for specific evidence as part of a criminal investigation.
- When executing a search warrant, the police must announce their authority and purpose, unless the warrant expressly authorizes entry without notice.

### *If you are a crime victim or witness...*

- In case of an emergency, you can dial 911 from any telephone in New York City to get assistance from the police. Language interpreters are available 24 hours a day.
- To make complaints about loud music, public urination, disorderly youths, graffiti, or other quality of life complaints, you can call 311 from any telephone.
- You can also make complaints in person at your local police precinct.
- You are strongly encouraged to cooperate with all police inquiries.

*The police should not ask you about your immigration status if you are calling them for help. Similarly, police officers should not ask you about your immigration status if you have been a crime victim or if you have witnessed a crime being committed, unless you are being investigated for illegal activity, other than mere status as an undocumented alien.*