

The Volokh Conspiracy

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Ten Rules for Dealing with Police

David Kopel • March 31, 2010 2:03 am

Outstanding new film, premiered at the Cato Institute last week. Watch it here. Lots of useful advice for law-abiding citizens about how to properly exercise their rights to refuse searches that are not based on warrants or probable cause, and other efforts to trick citizens into waiving their rights.

Categories: Fourth Amendment

16 Comments

1. ***disintelligentsia*** says:

Good video. Another video in the same vein from Professor James Duane of Regents Law School. Excellent video that every citizen would be wise to watch. And watch again:

<http://www.youtube.com/watch?v=6wXkl4t7nuc&feature=related>

Quote

March 31, 2010, 4:54 am

2. ***Buddy Hinton*** says:

The advice is good and on a hugely important subject.

Sadly, the film is poorly made and condescending in tone.

I hope when they do the sequel it is a police training class and they do it

with a viewpoint of the police cadets working thru hypotheticals in a class.

Quote

March 31, 2010, 5:58 am

3. **Kharn says:**

Chris Rock's 'How not to get your ass kicked by the police'
Obviously not safe for work.

Quote

March 31, 2010, 6:02 am

4. **Frank Drackman says:**

How about, "How not to draw the attention of the Police"
I haven't had a Cop talk to me since 1982, and it wasn't really a
Cop, but the State Trooper who gave me my Driving Test.
OK, I'm White, but still, I've broken the law a few times, umm lets see, I
drive about 20mph over the interstate speed limit...in Georgia thats called
"Impeding Traffic"
I did have a Mall rent-a-cop pat me down once...he missed my
Colt1911...dumb ass
If you need a video to help you not get searched by the Police you've got a
bigger problem...
might wanta watch that "How not to get raped in prison" video next...

Frank

Quote

March 31, 2010, 7:28 am

5. **OrenWithAnE says:**

One thing not mentioned — beware of the compound question. "Do
you mind if I take a look in the trunk or do you have anything to
hide?" is a famous one.

Quote

March 31, 2010, 8:19 am

6. **Tweets that mention The Volokh Conspiracy » Blog Archive » Ten Rules
for Dealing with Police -- Topsy.com says:**

[...] This post was mentioned on Twitter by tim.gier. tim.gier said: The
Volokh Conspiracy — Ten Rules for Dealing with Police — <http://goo.gl/gKhQ>
[...]

March 31, 2010, 8:24 am

7. ***Ten Rules for Dealing with Police*** « **Daniel Joseph Smith** says:

[...] Ten Rules for Dealing with Police [...]

March 31, 2010, 9:08 am

8. ***uh_clem*** says:

Outstanding new film, premiered at the Cato Institute last week.

New?

I recall watching it over a year ago. Not that it's out of date...

Quote

March 31, 2010, 9:25 am

9. ***Gov98*** says:

Lots of useful advice for law-abiding citizens

Lol...sure it is, because I need to know not to run, not to be aggressive towards a cop, not to touch a cop, to be calm and cool. More like lots of useful advice for criminals.

Quote

March 31, 2010, 9:28 am

10. ***Smooth, like a Rhapsody*** says:

Particularly for women travelling alone: what about calling a friend or parent on your cell phone and leaving the line open during the encounter so that there is another event witness.

Quote

March 31, 2010, 9:34 am

11. ***grog*** says:

Smooth, like a Rhapsody: Particularly for women travelling alone: what about calling a friend or parent on your cell phone and leaving the line open during the encounter so that there is another event witness.

Yes. Not just for women. I'm a technical person and haven't seen a commercial app for this, but wrote my own that is a one-button call and record. (Not advisable if you don't live in a one-party consent state.) Haven't had occasion to use it, but I'm a big believer in having my own copies of any such interactions.

Quote

March 31, 2010, 9:50 am

12. **JR says:**

I remember watching "BUSTED: The Citizen's Guide to Surviving Police Encounters," another production of FlexYourRights (the group that made this new video) back in my undergrad days. The phrase, "Officer, I don't consent to any searches" is indelibly burned into my brain. (Of course, uttering that is a sure-fire way to get the most extensive practical demonstration of "plain view" searching possible, but it's still handy to know and to assert.)

Still, how to assert one's rights is something everyone should be taught. I believe that as strongly as I believe in the necessity of Miranda warnings. Kudos to CATO, and to FlexYourRights (once again!).

Quote

March 31, 2010, 9:56 am

13. **Gov98 says:**

I do think Smooth and Grog's suggestions are wise where it's legal to record conversations...Even so, I've always thought that two-party consent required for recording a cop should be per se unconstitutional. They can record me, I should be able to record them.

Quote

March 31, 2010, 9:58 am

14. **Buddy Hinton says:**

Particularly for women travelling alone: what about calling a friend or parent on your cell phone and leaving the line open during the encounter so that there is another event witness.

Good way to get your phone confiscated as evidence. If you complain about the confiscation it may very well turn out that your phone will be found to be holding lots of contraband data in its memory. Good luck proving that the data was planted.

Police know how to play hardball, too.

Quote

March 31, 2010, 10:11 am

15. ***Daily Pundit » Useful - But I Wish It Weren't Necessary*** says:

[...] The Volokh Conspiracy » Blog Archive » Ten Rules for Dealing with Police Outstanding new film, premiered at the Cato Institute last week. Watch it here. Lots of useful advice for law-abiding citizens about how to properly exercise their rights to refuse searches that are not based on warrants or probable cause, and other efforts to trick citizens into waiving their rights. [...]

March 31, 2010, 10:20 am

16. ***Eric Rasmusen*** says:

Suppose the police do impound my cell phone for evidence, quite unnecessarily. Is there some profitable action I can bring against them?

Also, and related: Is it better to tell the police you are recording— so as to deter bad behavior— or not to tell them— and so to evidence against them of egregious bad behavior?

Quote

March 31, 2010, 10:36 am

