



*Should You Talk
To The Police?*

No.

In all seriousness, it's really not a good idea to speak with the police. There are instances when you'll have to, which I'll get into. It's also important to note that while not speaking to the police is a good practice, refusing to comply with their demands can (and often does) bring on unnecessary problems and/or can be dangerous. If a police officer asks for your ID or tells you to do something, I would not advise disobeying. Furthermore, it's extremely important to note that refusing to speak to them is easier for some demographics than others...

When my car was stolen a couple years back, I needed to file a police report. The insurance company wouldn't process my claim without it. There's little room to get around that. I was asked by the police whether or not I wanted to press charges. Should they find the car being driven, they wanted to know if they ought to proceed as if the person driving were the person who stole it, arrest them, etc. I told them, "There's no reason to ruin someone's life over my stupid car." They laughed at me, and didn't understand my response.

Many people think of the police as a protective force, organized to keep communities safe. The unfortunate truth is that they do little to protect the community, and often in fact cause much more harm than good. Their presence itself is similar to that of a bully. It's not surprising that a group of individuals who are attracted to power and often come from violent and bigoted backgrounds aren't what many people want them to be¹.

What person is allowed to stop you and ask what you're doing? Demand to see your ID apropos of nothing? Search your bag? Tell you what to do? Tell you where you can and can't go?

What other person is allowed to tackle you to the ground? Violently arrest and detain you? Stow you away in a cell? Or throw you in an interrogation

¹ *Police Domestic Violence is Nearly Twice The Average Rate*

"Several studies, according to Gandy and Wetendorf, indicate that women suffer domestic abuse in at least 40 percent of police officer families. For American women overall, the figure is 25 percent."
<https://www.sfgate.com/bayarea/article/Police-domestic-violence-nearly-twice-average-rate-2536928.php>

room while they attempt to get you to relinquish your rights and help them build a case against you?

Police are not here to keep communities safe—strong communities do that for themselves. Police are here to keep communities on guard, ill-at-ease, divided and unable to believe in and support each other.

*It is **imperative** that you never speak to them as a suspect or witness².*

As a suspect, innocent or otherwise, you run the risk of incriminating yourself and/or making their case for them, when a lawyer may have been able to lessen your charges and/or get you out of trouble entirely.

As a witness, your comments may be used to justify acts of violence that the suspect doesn't deserve to receive. Beyond that, you may end up giving contradictory information, which can result in imprisonment, if a case can be made that you were deliberately lying.

Beyond that, even the police that live in your community or maybe even as a neighbor—fuck these class traitors. Don't allow them feel welcome, don't acknowledge them, hold the door for them, wave to them, invite them into your home (whether they are on duty or not), or any of that shit.

*It can be tempting to give an individual you know who becomes a cop the benefit of the doubt. But if you ever become a suspect, they won't show you respect, in turn **they don't deserve yours.***

² Again, it is really important to me that I make clear—when a police officer asks you for your ID, especially while driving, you have to give it to them. I've seen too many videos online of people refusing, thinking that this is within their rights, and getting violently removed from their car and placed under arrest. Though it may be within their rights in some states and in some instances to refuse to produce an ID, the unfortunate fact is that if a cop asks for your ID, the path of least resistance might be the best option. This is **not** to say that you have to answer any of the questions they ask you—you simply have to comply with their request for your ID. Every response you give them after that can be “I don't answer questions,” if you feel that is necessary.

Right to Remain Silent

The very first thing to remember when dealing with the police (and the state in general) is that there aren't many "rights" we have. If there's something they want, the system is designed to make it near impossible to withhold it. The right to remain silent is a gift³.

Police can go to extreme lengths to make you talk to them: everything from detaining you for long periods of time without being able to speak with anyone right away (including your lawyer), physical intimidation, promises of letting you go if you talk, to claims of having unimpeachable evidence that you did whatever it is they say.

The most important thing to keep in mind when the police are talking to you is this: If they had all of the information they needed to build their case, they wouldn't be speaking to you. *The only reason you're in that room is because they need you to incriminate yourself or your accomplices.*

And don't forget...



³ Unfortunately, there do exist instances wherein the right to remain silent won't save you from incarceration. Grand Jury resistance is an incredibly important and powerful action to undertake, but it is done with great sacrifice—see for example the lives of Chelsea Manning and Jeremy Hammond.

...And They're Allowed To

The police are constantly working to improve their clearance rate, which makes sense, as it is the metric most valuable in determining how effective they are⁴. These rates of effectiveness are often brought up by police abolitionists, because currently they are embarrassingly low. The thought of convicting the wrong person is not a concern they have. If they are able to “clear a crime” and declare “case closed,” they will do so, regardless of the innocence of the person their imprisoning. They are more interested in putting someone through the legal system than they are in ensuring that innocent people keep their freedom.

For this reason, police lie constantly—convincing people to talk when they otherwise shouldn't, making up instances of probable cause so they can search you or your property, claiming people match the description of an alleged criminal, etc.

The fact that they lie and get away with it, coupled with the fact that you cannot lie to them should be reason enough to never speak to them.

It Is Illegal To Lie To The Police

The state doesn't equip us with many tools for dealing with them to our benefit. The police are going to arrest you if they've decided that that's what they are going to do. If it turns out later that you've lied to them during their investigation (no matter the capacity), you could be charged with a felony. Lying to the police is a federal crime and the conviction of which could result in imprisonment for up to five years.

⁴ “Extrapolating from the 281 known DNA exonerations in the US since the late 1980s, a conservative estimate is that 1 percent of the US prison population, approximately 20,000 people, are falsely convicted.” -- innocenceproject.org

It is always in your best interest to remain silent, because even if you manage to convince them of your innocence, once you're in court their testimony won't matter.

It Will Never Help

You will never be able to convince the police not to arrest you if they are planning to do so. Nothing you say will convince them that you don't deserve to be arrested and everything you say can only be used to help convict you.

The police are essentially barred by law from saying anything under oath that will help you in court. See Federal Rule of Evidence 801 (d) (2) (a), which determines that anything the arresting officer is asked to say at trial regarding anything you may have said during their investigation can be immediately rejected as hearsay. So the prosecutor can (and very likely will) strike any statement from a police officer that is harmful to their case on this basis alone.

If the police approach you about a crime having been committed, or are questioning you for anything that you may have been involved in, the only things you should say are: "Am I under arrest?" If you are not, then get verbal confirmation that you are free to go and leave immediately⁵.

And if you are under arrest, then you tell them that you don't answer questions without a lawyer being present. Even responding that you don't know could potentially constitute a lie, if it can be proven that you did

⁵ It's a good practice to tell people that the police had attempted to question you, you never know which one of your friends or comrades are going to be questioned next. The more time they have to prepare and the less caught off guard they are, the more likely it is they will manage the interaction successfully.

know. Saying “I don’t answer questions” is the safest thing to do until your lawyer arrives.

It is literally impossible for anything you tell the police during an investigation to help you—it will only ever hurt you.

Police Are Looking For Guilt

Whenever the police are questioning an individual, all of the responses they hear will be colored by the fact that they are looking for guilt. They *are not* an unbiased third party seeking to resolve a troublesome situation. The pieces of your remarks that they deem relevant or noteworthy are going to center on whether or not it will help them find the guilt they are looking for. The results of this selective hearing on their part often leads to the imprisonment of innocent people.

Police could misremember and/or ignore certain aspects of what you tell them. They are always acting in service of their primary goal, which is to find the guilty party (whether or not they are guilty).

They will use your words against you.

The More You Talk, The More Likely It Is You’ll Become A Suspect Or Incriminate Yourself

Having legal representation is necessary, not only because lawyers know the law, but also because they are more likely to be able to cut through the leading and/or loaded questions the police ask. Without a lawyer present, the likelihood that a police officer will be able to trip you up and twist your words increases exponentially. They are trained in interrogations, and part of this training centers on their ability to confuse and manipulate.

The conditions of interrogation will likely be much more hostile without representation, because police are given a presumption of innocence not given to the public. If you challenge the police later on their methods of interrogation or point out the nuance to something you said, it will likely be taken as a matter of your word against theirs.

In cases like those, the nearly always win.

There Is No Reason To Treat Cops Nicely

The entire foundation of the institution of policing was built on the legacy of runaway slave catchers⁶. Sure, some of the people who become police officers only do so because they have a notion of protecting the community or helping people. This is not the case, and as the recent uprisings demonstrations across the country have laid bare, indeed this has never been the case.

But this doesn't mean that it's always advantageous to be aggressive with cops. Generally, you should ignore them when they're out in public and not harassing a member of the community.

The people who are police officers may appear to be decent individuals, especially if they are members of your local community. But make no mistake, they actively support these systems of oppression and the use of violence by the state. If they didn't, they would quit.

⁶ “The birth and development of the American police can be traced to a multitude of historical, legal and political-economic conditions.” Victor E. Kappeler, Ph.D.
<https://plsonline.eku.edu/insidelook/brief-history-slavery-and-origins-american-policing>

Suggested Further Reading:

The End of Policing by Alex Vitale

The New Jim Crow by Lani Guinier

Anarchy Works by Peter Gelderloos

aworldwithoutpolice.org



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