

## If you are arrested...

- You **do not** have to answer any questions, except your *name and date of birth*. State clearly, **"I do not want to answer questions and want to speak with my lawyer."**
- You have a right to advice from a lawyer (*and* a parent if you are under 18). This can be a lawyer of your choice (Duty Counsel [free] or a private lawyer).
- You do not need to answer questions about your immigration status. Ask to speak to a lawyer before signing any papers.
- You should not give a statement to the police, sign release papers, or agree to release conditions before speaking to a lawyer.

## If you are stopped by the police...

- You **do not** have to answer any questions.
- You **do not** have to identify yourself.
- *If the police continue to question you*, ask, **"Am I free to go?"** If so, you may walk away. If not, you can ask why you are being detained.
- You **do not** have to allow the police to search you or your things.
- *If the police try to search you*, state, **"I am not consenting to a search."** Interference in the search can result in criminal charges.

This information was compiled by the Movement Defence Committee. It can be found at [movementdefence.org](http://movementdefence.org).

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## Getting released after an arrest

If you are arrested, you may be:

1. Detained and released.
  2. Arrested and charged and released from a police station. The police may set conditions for your release.
  3. Arrested and charged and brought to court for a bail hearing where the court will decide whether you will be released and what conditions will attach to your release.
- You should have **names and numbers for people who can support you** to be released from jail and address emergency needs. Share those with your jail support team and the legal help line.
  - Certain things are helpful to share with your lawyer, including identities, backgrounds, any outstanding charges, immigration status, and criminal record.
  - Your **bail hearing** is different from a trial. Anything you say may be used as evidence. At this time, the police or court are only deciding whether you can be released and on what conditions. They are not deciding if you are guilty or innocent.
  - **Bail conditions** are conditions you agree to in order to be released from jail. Explain to your lawyer if you cannot or do not want to meet a condition. If you break a condition of bail, you can be re-arrested and charged with the crime of "failure to comply."



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