



What to do if you are stopped by a Police Officer?

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The Delaware State Police strives to provide services to everyone in the community fairly and equally. It is our hope that the information provided will be helpful in explaining why an officer may have to stop and question a citizen and reduce elements of conflict when confronted by an officer.

Frequently in the course of carrying out duties in law enforcement, it becomes necessary, for officers to stop a person and make an inquiry such as:

- What is your name?
- What is your address?
- Do you have any identification?

But sometimes a very routine encounter may cause a person to feel intimidated or to respond in a manner which gives rise to conflict or suspicion. Sometimes problems arise when it seems as if a police officer has stopped to question you for what appears to be no reason at all. Since the time factor may be crucial in investigating a possible crime, police officers are trained to observe and evaluate a situation and to act if they have a reasonable suspicion that you may in some way be involved in an incident.

This will explain what to expect if a police officer stops you for questioning and also provide some suggestions on how to respond to the questioning process. You are cautioned, however, that this is not a legal advisory.

When law enforcement representatives question a person, there are underlying reasons. There are many factors that officers take into consideration in determining if they have a reasonable suspicion to stop and question someone. Every situation is different, but some factors they may consider are:

- They may be checking out a complaint phoned into police by someone in the neighborhood.
- They may have received a report of some criminal activity which has just occurred in the area.
- Your presence might indicate that you are a potential witness who would be able to provide valuable information in an investigation.
- In some cases, the officers' observations might lead them to think you are having trouble and need assistance.
- Police may have a minimal description of a suspect which you might resemble;

- Your actions appear to be suspicious (i.e. running from an area where the crime has just been committed) and you act even more suspiciously when you see the police officer; someone may have pointed you out as a suspect.

The best way for officers to clarify the situation is to ask questions. With all due respect to citizens' rights, officers have a responsibility to properly investigate matters which may threaten public safety or involve breaking the law. Their questions are not necessarily an accusation, and your cooperative response can alleviate potential conflict.

An officer can always approach you and ask you to voluntarily talk to him or her. Your forthright responses, if an officer does stop and question you, will usually quickly resolve the situation. If the officer hasn't told you why you have been stopped, you may inquire.

If, despite these considerations, you feel that you do not want to respond, the officer must respect your right not to answer. However, the officer may arrest you if reasons other than your refusal to answer questions establish probable cause to do so. Your cooperation would be most helpful in aiding a police investigation.