

QUESTIONS TO ASK YOURSELF: DEALING WITH POLICE

SEPTEMBER, 2023



This content is taken from [Read Between the Lines](#) and is based on sex workers' knowledge and wisdom, notably of workers facing multiple forms of criminalization and state violence. For the complete document, and for info on sex work offences, go to [Stella's website](#) or contact us.

This document does not provide any legal advice. It is offered to sex workers, to people who use drugs, and to members of our communities who wish to improve their living and working conditions. This information is not intended to influence anyone to commit illegal acts.

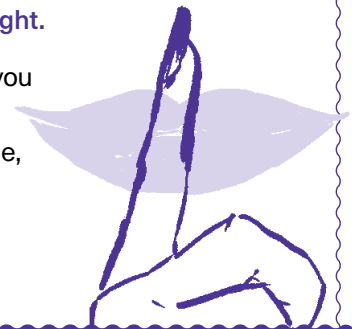
This document may help inform your decisions to protect yourself when dealing with police, particularly from saying things (making statements) that may incriminate or otherwise involve you – or others – in a criminal offence or investigation.

This information is not intended to contribute to panic or fear – but to help us minimize the harms of criminalization.

The questions below may help you **THINK IN ADVANCE** about how you may **RESPOND TO POLICE** if you have to deal with them, and how different strategies may play out depending on your situation.

BE CAREFUL NOT TO MAKE INCRIMINATING STATEMENTS!

- No matter where you are and no matter what legal exceptions may apply, any time you speak to police you are making a statement. This statement is evidence that can be used to charge and prosecute you or other people (e.g., people you live with, dealer/seller, client, partner, members of community or family). It could be used in your trial, in someone else's trial, or to influence someone to plead guilty or to provide information.
- Just because police ask you a question, this does not mean you have a legal obligation to answer. **Ideally, the best thing to do when dealing with police is to stay silent. Your silence cannot incriminate you, but your statement might.**
- There are instances where you have a legal obligation to identify yourself (legal name, address and birthdate). **BUT other than providing your identity in some those contexts, you NEVER have an obligation to anything else!**



See [Read Between the Lines](#) and [Identifying Yourself to Police](#) for more info to help determine when you have a legal obligation to provide your identity, and how you may plan to navigate the situation so that you don't panic and say more than necessary.

People face different levels of risks when interacting with law enforcement (e.g., risks to their health, safety and life, legal and financial risks). You may decide to adapt how you respond to police in different situations depending on the risks you face.

Laws are not neutral and law enforcement officers racially and socially profile and treat people differently in many ways. Interactions with police often depend on your legal, social and personal situation, including factors, such as:

- ~ where you are and why the police are there
- ~ what you are doing and if the activities you are involved in are criminalized
- ~ who you are with and if you or others are targeted due to your racial, social and/or gender identity
- ~ if you have a precarious immigration status or face language barriers
- ~ if you are considered intoxicated, are known to police or if you have a criminal record

SOME THINGS TO CONSIDER:



□ Am I — or is someone I am with — engaging in an illegal activity (e.g., sex work, drug use/sale, breaking a bylaw) that authorises the police to ask me questions?

□ If I'm with a client or a friend, and we are stopped by police, what do we plan to do? Do we plan to give the police the same info? Do we plan to refuse to speak to the police?

□ Are the cops here because they targeted me personally? The location I'm in? Someone else?

- How might this impact how I respond to the situation (e.g., leave, stay silent, contact someone)?

□ Are the police focusing on me right now, or on someone else?

- Are they speaking to me yet, or can I just walk away?

□ Where do I like to get high? And with who? (e.g., friend, dealer, client, neighbour)?

- Are they or the location particularly monitored or targeted by police?
- Is there someone else I may want to use with to minimize my chances of having to deal with police?

□ If I'm going to be in public space, what areas are safer for me?

- Where is there more police surveillance? Where do the police leave people alone more and not harass them as much?

□ Do I have ID on me? Does my ID reflect my actual identity or the name I plan to give them?

□ If the police have no legal authority to ask me for my identity in this context, what do I plan to say if they ask me? Do I have a different plan if this cop knows me?





- **Is there is an outstanding criminal warrant in my name?**
 - If so, is it from the city I'm in?
 - A city close by?
 - Another province?

- **Is there is an outstanding immigration warrant in my name?**

- **Am I currently in breach of any court conditions (e.g. criminal, immigration, family law)?**

- **Is Youth Protection involved with my children and my family life?** If Youth Protection is involved, or could become involved, how may this impact how I respond to police considering police may share information with them?

- **Do I have a different plan for responding to police if my kids are with me or not at the time?**

- **What do I need or want to avoid the most?**
 - What possible consequence concerns me the most? What outcome would be the most harmful to myself or my situation (e.g., detention, a criminal record, not picking up my kids, deportation, not paying rent)?
 - What am I willing to risk/gamble to avoid this harm?

- **Do I have something to film the interaction?**
 - Do I plan on filming if something happens? If so, depending on the situation, would I live stream or preserve the evidence for later?
 - In what contexts would I be willing to risk having my phone seized (e.g. as evidence) if I try to record the event?

- **Do I have items on me or in my bag that I can be arrested for (e.g. drugs, weapon)?**
 - Do I know what I want to say if police ask to look in my bag?

- **Where do I keep items that may incriminate me or lead to a search (e.g. drugs, residue, drug use equipment, scales)?** Do I keep any of them in “plain view” (that police can see from the front door, from the car window, etc.)?

- **Do I have anything on me that police could claim is a “dangerous item/weapon” (e.g. scissors, syringe, knife, pepper spray)?**
 - If they try to search me, do I want to tell them in advance?

- **Do I know how to clearly say “I do not consent to a search” in French so that the officer can't pretend they did not hear/understand me?**
 - « Je ne consens pas à une fouille »—JEH NEH KON-SEHN PAH AH OON FOO-YEH

- **Do I know how to clearly say in French:**
 - **“If I am being arrested, please tell me what for?”** = « Si je suis arrêtée, SVP me dire pour quelle infraction ? » (SEE JEH SWOO-EE AR-EY-TAY, SEEL-VOO-PLEH MEH DEER POOR KEL IHN-FRAK-SHEE-OHN)
 - **“If I am detained and not free to go, please tell me why?”** = « Si je suis détenue et je ne peux pas partir, SVP me dire pourquoi. » (SEE JEH SWOO-EE DAY-TEH-NOO EH JEH NEH PEH PAH PAR-TEER, SEEL-VOO-PLEH MEH DEER POOR-KWA)
 - **“I want to leave now”** = « Je veux quitter maintenant » (JEH VEUH KI-TAY MAH-TE-NAH)



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- ❑ Depending on my personal situation, where I am, what I'm doing, who I am with, and what I have on me: if I evaluate the risks, what may I plan to do or say if police question me?
 - Ask if I am being arrested or detained, and if they say yes, explain that I want to speak to a lawyer first (« Je veux parler à un avocat » = JEH VEH PAR-LAY AH UHN AH-VO-KAH)? Or if they say no, tell them I want to leave? (« Je veux quitter maintenant » = JEH VEUH KI-TAY MAH-TE-NAH).

- Give them my identity but otherwise only say “I wish to exercise my right to remain silent, thank you for respecting my rights” (« Je souhaite exercer mon droit au silence, merci de respecter mes droits » — JEH SOO-ATE EX-ER-SAY MOH DRAW OH SEE-LENCE, MER-SEE DEH RES-PEK-TAY MEH DRAW)?

Do I know how to give them my identity in French?

- ~ “My name is X” « Mon nom est X »
(MOH NOH EH ...)
- ~ “My date of birth is Y” = « Ma date de naissance est Y » (MAH DAT DEH NEH-SAH-SSE EH ...)
- ~ “My address is Z” = « Mon adresse est Z »
(MOH NA-DRESS EH ...)

- Appear to respond to a few of their questions to de-escalate the situation and seem cooperative so that I can leave, but ensure that I do not say anything incriminating? What are some things I would say that would in no way be incriminating?
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- ❑ If I or the people I am with are criminalized (e.g., people I use with, or do sex work with), do we ever talk about what we would say if the police approached us together?

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- ❑ Do I know someone I can role play with? Although it may be stressful to think about it, might it be useful to think this through in advance?
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