


<p style="text-align: center;">(SIDE 1)</p>  <p style="text-align: center;">LEOAFFAIRS.COM™</p> <p style="text-align: center;">PROTECT YOUR CONSTITUTIONAL RIGHTS</p> <p>As a condition of your employment you are required to abide by your Department Rules & Regulations. You must answer questions, give statements and submit reports at the legal order of a superior officer or be subjected to disciplinary action.</p> <p><u>Include the wording</u> on the back of this card in any statement or report you make concerning any type of disciplinary problem, including complaints from citizens, or if you are suspected of violating the law. That statement or report cannot then be used against you in any subsequent criminal proceeding, however, the statement or report may be used against you in departmental disciplinary proceedings and it may be subject to discovery in civil lawsuits.</p> <p style="text-align: center;">Our advice is that you use this procedure at all times</p>	<p style="text-align: center;">(SIDE 2)</p> <p>“On (date) at (time) at (place), I was ordered to make this statement by (name/rank of individual). I submit this statement at (his/her) order as a condition of employment. In view of possible discipline for insubordination, I have no alternative but to abide by this order.</p> <p>It is my belief and understanding that the agency requires this statement solely and exclusively for internal purposes and will not release it to any agency. It is also my understanding that this statement, since compelled, will not and cannot be used against me in any criminal proceeding. I authorize the release of this statement to my attorney or designated union representative.</p> <p>I may amend or correct any portion of this statement upon reflection to correct any unintended mistake without subjecting myself to a charge of untruthfulness.</p> <p>For any and all purposes, I hereby reserve my constitutional right to remain silent under the 5th and 14th amendments to the United States Constitution and any other rights prescribed by law. I specifically rely on the protection afforded to me under the doctrines set forth in Garrity v. New Jersey, 385 U.S. 493 (1967) and in Spevack v. Klien, 385 U.S. 551 (1956) in submitting this statement.”</p> <p>(Begin statement here)</p>
<p style="text-align: center;">(SIDE 3)</p> <p style="text-align: center;">POLICE SHOOTINGS</p> <p>As a general rule, every LEO should remember and use the following statement:</p> <p style="text-align: center;">“I’m O.K.; I’m waiting for my attorney.”</p> <p>If your union or association has counsel on retainer, then ask for him to come to the shooting scene. Even if the shooting you were involved in was a “good” shooting. Even if the person you shot was born to be a silhouette.</p> <p>Think before you say something that you can never change. Remember, any statements you make to supervisors or others at the scene can never be taken back. It is not a good time for you to talk right after a shooting or deadly force incident. If your department allows for it, you should try to relax and get away from the scene if possible, try to have a few hours rest and answer questions the next day. You should watch what you say when your emotions are at a peak. Generally you will not be in full control.</p> <p>There is an argument that speaking with your union attorney without delay is therapeutic and helps you deal with this traumatic event in a confidential setting. You may also need to consider the exigencies of the situation in deciding when to talk and what to say (i.e. you shot the armed BG, but he still got away while running towards a crowded school). It is up to you to decide what your mental state is and what you should do.</p>	<p style="text-align: center;">(SIDE 4)</p> <p style="text-align: center;">WORDS OF ADVICE</p> <ol style="list-style-type: none"> 1. Tell it as it was and not as it is now. If you were in a dark deserted warehouse that has been the target of burglaries, then describe it as it was. You can hardly expect those asking you the questions to put themselves in your shoes when all the lights are now on and the warehouse is crawling with people. 2. After the hammer has hit the pin it doesn’t matter anymore. Stop talking at the time you shot the suspect. What you ate for dinner, the fact that you are having marital problems has nothing to do with the shooting. Stop...Shut up. It will not get any better. 3. If you go before a Grand Jury, you must be seen as a person. Leave Macho Man at the house or station house. You shot the person because you had justifiable fear for your life or the life of another...period! <p>Disclaimer: This is not legal advice, we are not lawyers and you should seek the advice of an attorney. LEOAFFAIRS.COM™ is not responsible for the accuracy or application of information contained within this document and, if used, is done so at your own risk.</p>