

The Citizen's Guide to Refusing New York Subway Searches

- **When Refusing a Search, Be Cool.**

If stopped, remain calm and courteous and clearly say "Officer, I do not consent to any searches. I'm going to exit the station." Do NOT talk back, raise your voice, or physically resist.

- **Refusal Is Not Guilt.**

The police directive states that refusal to be searched "shall not constitute probable cause for an arrest or reasonable suspicion for a forcible stop."

- **Shut Your Mouth and Your Wallet**

Whether or not you consent to a search, you do not have to answer any police questions or give any information. But remember, anything you say can be used against you.

- **WARNING: DO NOT RUN!**

If you refuse to be searched and run into the station, you could be shot to death!

- **Report Abuses**

If you believe your rights have been violated, write down the officer's name and badge number and everything you remember as soon as possible. Ask any witnesses for their names and phone numbers. Discuss the matter with a lawyer afterwards or file a complaint with the Civilian Complaint Review Board.



The Fourth Amendment to the U.S. Constitution

"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

While Flex Your Rights doesn't know if the policy will do anything to combat terrorism, we feel it's essential to dispel the dangerous rumor that our 4th Amendment Rights have been entirely repealed.

This policy is constitutionally suspect and unambiguously inconvenient. But for what it's worth, it's a great opportunity to practice a little rights-flexing in a real life police encounter with lots of cameras to make sure everyone plays fair.

By learning and sharing this information you can help to ensure that this unprecedented event does not further indulge that defeatist attitude towards the 4th Amendment that causes so many Americans to consent to suspicionless searches wherever and whenever they're asked.

www.FlexYourRights.org

Read the complete guide and learn more about asserting your constitutional rights.