

# 6 Things to Know

- 1 You should be respectful of the police if they stop you, but you don't have to answer any questions other than your name, birth date, and address.
- 2 You have the right to a defense attorney and you should ask for one if you are arrested or charged with an offense.
- 3 The D.A. is not there to help you and has the job of prosecuting you.
- 4 Do not talk about your case with anyone but your lawyer. That includes family, friends, social media, police, and your probation officer.
- 5 Do not say anything about the case unless your lawyer is with you and says it's OK to talk.
- 6 Anyone you talk with (besides your lawyer) can be called as witness against you.



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The information contained here is intended as information only, and does not constitute legal advice. If you require legal advice, you should contact a lawyer.



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## What should you do when...

### A POLICE OFFICER COMES UP TO YOU

- Stop if you are told to stop. Do not run!
- If asked, give only name, birth date, and address.
- Don't argue or talk about what happened.
- Stay calm and respectful.

### AN OFFICER ASKS FOR YOUR PERMISSION TO SEARCH YOU

- Say no, **but don't resist** if an officer tells you he or she is going to search you.

### HOW TO KNOW IF YOU'RE UNDER ARREST

- Ask the police officer if you're under arrest or if you're free to leave.
- If the police officer says you are free to leave or that you're not under arrest, leave.
- Even if you are not under arrest, do not answer any questions without your lawyer, other than name, birthdate, and address.

### IF ARRESTED THE POLICE MUST TELL YOU THAT YOUR RIGHTS INCLUDE

- The right to remain silent.
- Anything you say can and will be used against you in court.
- The right to an attorney.

### REMEMBER...

- You **don't** have to answer questions and you can get a lawyer.
- Ask for a lawyer clearly. Say, "I want a lawyer." If the police don't stop questioning you, say it again.
- The police do not have to give you a lawyer right away, so do not get discouraged and start talking. You may not see your lawyer until you get to court.
- Don't talk about the case with anyone until you speak to your lawyer

## Who can help?

### A DEFENSE LAWYER OR PUBLIC DEFENDER

- You have a constitutional right to have a lawyer defend you.
- The lawyer will fight only for you, even if he or she is paid by the state.
- The lawyer will be given to you for free if you cannot afford one.
- The lawyer needs you to answer questions honestly to defend you.

### YOUR LAWYER...

- Will talk with you about your case.
- Knows the law and the rules of the court.
- Will explain the charges against you.
- Will investigate your case.
- Knows how to find evidence.
- Will question the witnesses against you.
- Will talk with the D.A. for you.
- Is on *your* side and will fight for you in court.

## Who else is in Court?

### THE DISTRICT ATTORNEY (D.A.)

- The D.A. is not your lawyer and is not on your side.
- Ask for and speak to a defense lawyer before talking to the D.A. and before making any deal with the D.A.
- Be cautious about any offer of help from the D.A.

### INTAKE OFFICER

- Works for the court or the Department of Juvenile Justice (DJJ).
- Will take information from you that can be used against you by the court and DJJ.
- May decide whether you are placed in detention.
- Is not required to keep information you give him or her secret—be careful what you say!

### THE JUDGE

- Runs the courtroom and decides the outcome in your case.

### PROBATION OFFICER (P.O.)

- The P.O. works for the court to supervise you.
- You will probably have to call or check in with the P.O. regularly.
- Follow the P.O.'s instructions.
- The P.O. is required to report to the judge and tell the judge about your behavior.
- If you have to pay fees and don't have the money, it is always better to go to your appointment anyway and explain, rather than skipping appointments.