

Know your rights: What to do when you get pulled over

Written by F. Clayton Tyler, Attorney at Law
Monday, 23 November 2009 15:27

The lights flash in your rearview mirror, and from that moment on law enforcement is gathering evidence to make an arrest. Knowing your rights, what to do and what not to do, during a traffic or DWI stop can potentially save you hundreds of dollars in fines, months off a potential license suspension, and even jail time.

At the Law Office of F. Clayton Tyler P.A in Minneapolis, I provide clients with straight talk and honest answers. I have taken on hundreds of traffic offense and impaired driving cases. I see clients make the same mistakes during a traffic stop, giving officers everything they need to make an arrest and a conviction. Taking a few minutes now to understand how to handle a police officer during a stop can make a huge difference later.

The first thing to understand is that you don't have to make statements admitting you broke the law. You don't have to answer incriminating questions like:

- Do you know how fast you were going?
- How much have you had to drink tonight?
- Do you know why I stopped you?
- Did you see that stop sign?

Be polite. Be respectful. Give officers identification when they request it, but understand that answers to questions like the ones above can be used to arrest and/or convict you of a crime.

The police aren't usually asking you the questions because they don't know the answers. They are asking the questions because they are gathering evidence of a potential crime. Don't wait until a police officer reads your Miranda rights or puts handcuffs on to stop talking – you have the right to simply and politely refuse to answer questions prior to talking with an attorney.

Under Minnesota's implied consent laws, if you are arrested police are likely to ask you to submit to a breath, blood, or urine test. There can be harsh consequences for refusing to provide a sample, and you do have the right to try to contact an attorney before you decide whether to consent. For most people in most situations, the best option is to submit to the test. After this test, it is important to have your own test performed so that you have an independent analysis of any test to which you submit.

If you are arrested within the state of Minnesota, I can provide additional and immediate counsel at the Law Office of F. Clayton Tyler P.A. (612) 333-7309) for clients facing DWI or other traffic charges. As with any criminal charge, the sooner you involve a lawyer in your situation, the more they may be available for your defense. I can get to work immediately and give you the advice you need to make immediate and informed decisions.

The threshold for being stopped is very low, and the more evidence or reason you provide an officer with to arrest you, the more difficult your case can become. Don't be combative or argumentative. Simply inform an arresting officer that you are unable to answer questions and that you want to exercise your right to speak with a lawyer.

Know your rights: What to do when you get pulled over

Written by F. Clayton Tyler, Attorney at Law
Monday, 23 November 2009 15:27

For more information contact us today or visit our website at www.fctyler.com .

Copyright 2009 F. Clayton Tyler, Attorney at Law.

Know your rights: What to do when you get pulled over

By F. Clayton Tyler, Attorney at Law (Use picture by-line box)

The lights flash in your rearview mirror, and from that moment on law enforcement is gathering evidence to make an arrest. Knowing your rights, what to do and what not to do, during a traffic or DWI stop can potentially save you hundreds of dollars in fines, months off a potential license suspension, and even jail time.

At the Law Office of F. Clayton Tyler P.A in Minneapolis, I provide clients with straight talk and honest answers. I have taken on hundreds of traffic offense and impaired driving cases. I see clients make the same mistakes during a traffic stop, giving officers everything they need to make an arrest and a conviction. Taking a few minutes now to understand how to handle a police officer during a stop can make a huge difference later.

The first thing to understand is that you don't have to make statements admitting you broke the law. You don't have to answer incriminating questions like:

Know your rights: What to do when you get pulled over

Written by F. Clayton Tyler, Attorney at Law
Monday, 23 November 2009 15:27

- Do you know how fast you were going?

- How much have you had to drink tonight?

- Do you know why I stopped you?

- Did you see that stop sign?

Be polite. Be respectful. Give officers identification when they request it, but understand that answers to questions like the ones above can be used to arrest and/or convict you of a crime.

The police aren't usually asking you the questions because they don't know the answers. They are asking the questions because they are gathering evidence of a potential crime. Don't wait until a police officer reads your Miranda rights or puts handcuffs on to stop talking – you have the right to simply and politely refuse to answer questions prior to talking with an attorney.

Under Minnesota's implied consent laws, if you are arrested police are likely to ask you to submit to a breath, blood, or urine test. There can be harsh consequences for refusing to provide a sample, and you do have the right to try to contact an attorney before you decide whether to consent. For most people in most situations, the best option is to submit to the test.

Know your rights: What to do when you get pulled over

Written by F. Clayton Tyler, Attorney at Law
Monday, 23 November 2009 15:27

After this test, it is important to have your own test performed so that you have an independent analysis of any test to which you submit.

If you are arrested within the state of Minnesota, I can provide additional and immediate counsel at the Law Office of F. Clayton Tyler P.A. (612) 333-7309) for clients facing DWI or other traffic charges. As with any criminal charge, the sooner you involve a lawyer in your situation, the more they may be available for your defense. I can get to work immediately and give you the advice you need to make immediate and informed decisions.

The threshold for being stopped is very low, and the more evidence or reason you provide an officer with to arrest you, the more difficult your case can become. Don't be combative or argumentative. Simply inform an arresting officer that you are unable to answer questions and that you want to exercise your right to speak with a lawyer.

For more information contact us today or visit our website at www.fctyler.com .

Copyright 2009 F. Clayton Tyler, Attorney at Law.