to do if you cannot afford your municipal fines and fees, and more. Visit ProSeSTL.org to find forms you can bring to court, organizations offering services, and ways you can get involved to

See Booklet 2: A Guide to Representing Yourself in St. Louis

consequences of a guilty plea or municipal conviction, what

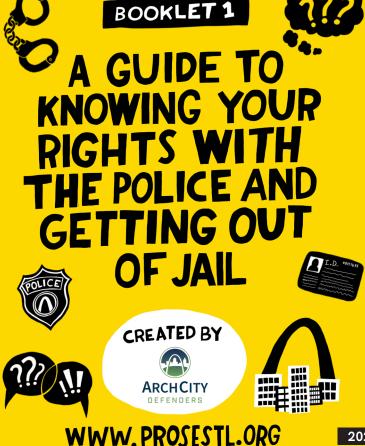
Municipal Courts for how to defend yourself at trial, the

stop the criminalization of communities.

If asked for information as a pedestrian..... If asked for information in a car..... Police and searches Use of force and resisting arrest..... Documenting police abuses..... "I was arrested. How do I get out of jail?" "How do I find my loved one after arrest?"...... "How can I pay the bail?"..... If you cannot afford your bail...... "I got a ticket. What do I do now?"..... Understand your ticket...... Know your options..... Sample municipal ticket explained......11-12

Table of Contents

"I was stopped by the police. What should I do?"...



Even if the police have no reasonable suspicion for the stop, they may stop you illegally. Do not resist, see page 4 for more information.

Documenting police abuses:

some limitations to the right to film. can harass you for documenting their activity, and there are photograph anything in plain view in the public. Still, the police You have a First Amendment constitutional right to videotape or

Limitations include the following:

- You cannot trespass onto private property to document. • You cannot interfere with the scene or an investigation.
- owner's rules. • If you are on private property, you must follow the

 Write down information about the police officer (name, What to document:

location, what happened). Write down details about what happened (date, time, padge number, car number).

The police cannot search what you have documented. The police

tampering with evidence. The police cannot legally delete your photos or video — this is generally need a warrant to search your phone or documents.

ing your rights! ιαν ευτοιςεωευτ ομιςιαις, especially it you think they are violatlaw or choose not to follow it. Document your encounters with always respected. The police sometimes do not understand the Although we have certain rights, we know that our rights are not

sspd

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If asked for information as a pedestrian:

I WAS STOPPED BY POLICE. WHAT SHOULD I DO?

1. Did the police stop you without a reason? If it is a stop without

you do not need to answer questions or share your ID.

you have violated the law to hold you.

Pat you down to check for weapons.

If you are under formal detention or arrest, the police can:

• Ask for your ID—even then, you may refuse to present your

ID, but if you refuse, the officer may search you for your ID.

makes it easier for the government to deport you.

If you refuse to answer these questions, the officer can use

· Ask your name, address, business, and where you are going.

that against you and choose to take you into the station.

· Run your ID to see if there are any outstanding warrants.

If you are undocumented, do not carry your passport

and do not answer questions related to your immigration

status. Sharing this information and giving your passport

a reason ("mere encounter") with the police, ask "am I free to

go?". If they say yes, you are not under formal detention and

2. Are you under formal detention or under arrest? If the police

say you are under formal detention or arrest, you are not

free to go and the police have more powers. The police need

"reasonable suspicion" (a particular reasonable thought) that

Use of force and

resisting arrest:

from what the police originally stopped you for. the police. This is a separate offense and an additional charge with resisting arrest or detention it you do not cooperate with be usable and the stop might be illegal. You may be charged excessive amount of force, the evidence they collect might not first stop or arrest was illegal. If the police use an unlawful or to arrest you and use force on you. This is true even if the are stopped and do not cooperate, the law allows the police grants special protections to the police to use force. If you the law and have been granted great power to do so. The law Please remember that the police are authorized to enforce



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REMEMBER: You have the right to remain silent. Say, "I want to remain silent and I wish to speak with an attorney." You have the right to have your lawyer present if law enforcement is questioning you.

If the police have reasonable suspicion, they may remove the driver from the vehicle and pat you down if they believe you have a weapon. They may search your vehicle if they have probable cause to believe there are weapons within your reach or evidence of a crime in the vehicle. If they arrest you, they can thoroughly search vou.

A passenger may be asked for ID but is not required to provide identification unless the police have separate reasonable suspicion to formally detain that passenger.

The driver is required to give the requested documents (usually driver's license, registration, proof of insurance) to the police.

The police can stop you if they have reasonable suspicion that you broke a law or if they are doing random DWI or vehicle registration checks.

If asked for information in a car:

If you are under arrest, the police have the most powers. The police need probable cause to arrest someone. The police may read you your Miranda warnings (right to remain silent, right to an attorney, anything you say may be used against you). When under arrest, you may be legally required to provide information related to your identity, but you should refuse to answer other questions.

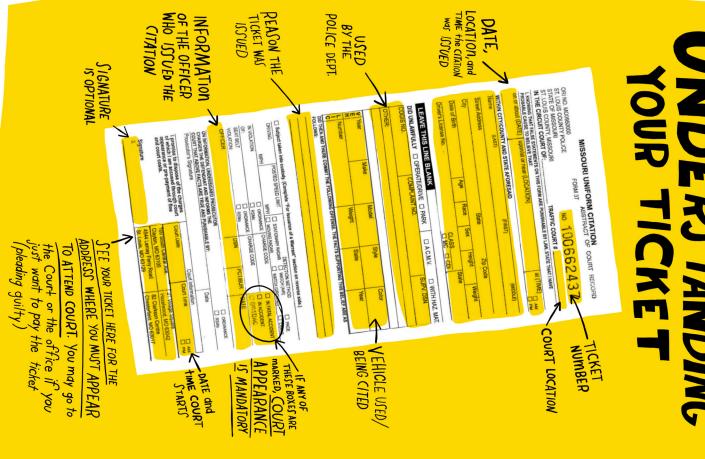
Police and searches:

commit an offense) to stop you. suspicion" (some particular suspicion that you committed or will to search during the stop/patdown. The police need "reasonable you down to search for weapons, unless they find probable cause under arrest. If you are not under arrest, the police may only pat On the street, the police may thoroughly search you if you are

view (e.g. looking through your windows). probable cause. They may inspect what they can see in plain During a traffic stop, the police may not search your car without

warrant, but you may remain silent. let the police in to search what was specifically asked for in the warrant, with few exceptions. If they have a warrant, you must At your home, the police cannot search your home without a

make this argument in a Motion to Suppress Evidence. not be able to use this evidence against you at a trial. You can consent to a search and the search is illegal, the prosecutor may physically resist. <u>Never consent to a search</u>—it you do not search. The police will search what they want to search. Do not REMEMBER: You can tell the police that you do not consent to a



Know your options:

other consequences.

Booklet 2, page 7).

You have options when you get a ticket! You can:

Find a breakdown of a sample ticket on the next page!

offense. There are consequences to pleading guilty. See Booklet 2 page 7

REMEMBER: If you choose to pay a ticket, you are pleading guilty to the

costs (See Booklet 2, page 12 for how to reduce the fine.)

To plead guilty but reduce or waive your fine and/or court

license points. (See Booklet 2, page 1 for what to do in

• To negotiate with the prosecutor to plead to an offense

 Go to court to explore your other options or if you cannot afford not plead guilty by paying and must go to court. For some offenses, especially non-traffic related, you can-

with lesser consequences, a smaller fine, or fewer driver's

To defend yourself against the ticket (see Booklet 2, page 5

receive payment, bring a receipt and go to court to avoid

they received your payment. If the Court says they did not

Always call the Court before your court date to make sure

for a list and explanation of these consequences.

for how to defend yourself.)

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Your ticket.

Pay your ticket (pleading guilty and taking points on your

driver's license). Note: Accumulating points could suspend or

revoke your license and possibly raise your insurance costs. (See

I WAS ARRESTED. HOW PO I GET OUT OF JAIL?

This guide was created by ArchCity Defenders to support people representing themselves in court. This information is provided for general informational purposes only. We have tried to make it as accurate and up-to-date as possible, but laws can change and your individual situation may be different. Nothing in this guide should be understood as legal advice from ArchCity Defenders. We expressly disclaim all liability that results from actions taken or not taken in reliance on this guide. If you have further questions, please consult a lawyer. We do not intend this information as advertising or solicitation. By providing this information, we are not acting as your lawyer.

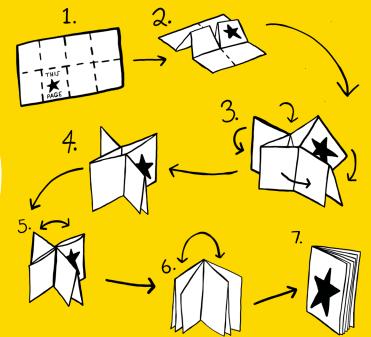
Many parts of the criminal legal system are unjust, promote continued marginalization of specific communities, and were designed to promote profit over justice. Often, judges, police, and prosecutors all play a part in systems that harm our communities. This guide offers individuals tools to push back, by empowering individuals and offering detailed tips to defend yourself. Ultimately, we believe that only by organizing together to change the system will communities be safe from its abuses.

Visit www.ProSe.STL.org for links to service providers, court forms, volunteer opportunities, and other helpful information. ArchCity Defenders | archcitydefenders.org | 314-361-8834

> www.ProSeSTL.org #ProSeSTL

> > ARCHCITY

START HERE TO RE-FOLD THE BOOKLET AND FIND MORE QUESTIONS ANSWERED



Sometimes when you are arrested, you will be booked but then immediately released. Sometimes you will be

HOW DO I FIND MY

When you find the incarcerated individual, ask them or the jail for

booked and kept in jail until your court date or until your trial unless you pay bail or bond. See page 8 for how to pay bail.





1.

2.

3.

5.

this information:

Their inmate number

Their next court date

What their bail is

What they were arrested for

If there are any holds that will keep

them in jail after the bail is paid

- Don't talk about the facts of the case.
- to pay your bail. Note: Missouri law states that a judge should release you from jail with only a promise to attend your next court date, unless the judge thinks that you are a risk to public safety or that you won't come back to court. Explain to the judge why you are not a risk to public safety and will come to court. You can reference Missouri Surpeme Court Rule 33.01. If the judge sets a bail you cannot afford, tell the judge you cannot afford it. You may need to give details about why you cannot afford it because of other expenses or limited income. Offer alternative ways to confirm that you'll come to court. It may help to have your family come to court to explain why you cannot afford your bail and the impact of your incarceration on you and others.
- at 323-366-0799. They are a non-profits that help people pay their bail.

2. At your first court date, tell the judge that you cannot afford

314-827-3837. In St. Louis County, contact the Bail Project

If you cannot afford your bail:

1. In St. Louis City, contact the Freedom Community Center at

- between certain hours and pay the bail with cash.
- If you or your family has money to pay the bail in full, ask the jail where and how to pay. Usually, you can go to the jail

O HOW CAN PAY THE BAIL?

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G

Understand your ticket:

Your ticket includes the following important information:

- offense, or no offense. later choose to charge you with this offense, a different • What law the police say you broke. The jurisdiction may
- Which police department and officer ticketed you.
- Where and when to go to court. This may change, so you
- should call to confirm.
- I he Court's contact information.

If you lost your ticket or want to know what tickets you have, you

- can search for some cases at the following websites:
- Casenet: www.courts.mo.gov/casenet/base/welcome.do
- County unincorporated municipal divisions database: • Municourt: www.municourt.net
- www.municipalrecordsearch.com/stlouiscountymo/Cases

license at risk, and/or owe the court more in fines and fees. you don't have money, you may end up in jail, put your driver's many of the harmful consequences of a municipal traffic stop; if is that it you have money, you can negotiate your way out of their practices punish people who do not have money. The result Some cities and courts in St. Louis are motivated by money and