

# A Guide to Police Practices



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**Richard C. Smith**

Chief of Police



# Table of Contents

A Note from the Chief of Police .....	1
If You Are Contacted by the Police.....	2-3
Police Practices .....	3-5
Consensual Encounters .....	3
Detentions .....	3
Probable Cause.....	3
Miranda Rights & Arrests.....	4-5
Warrants and Searches: Home and School.....	6
Traffic Stops.....	7-8
Serious or Fatal Vehicular .....	9
Crime Scene Do's and Don'ts .....	9
When an Officer is Involved in a Shooting.....	10
Due Process .....	11
True Bill .....	11
No True Bill .....	11
Where to File a Complaint .....	12
Tips Hotline.....	12
Notes.....	13-15





## A Note from the Chief of Police

The Kansas City Missouri Police Department has created this Guide to Police Practices for members of our community. This guide will provide community members with information about police practices, behavior when interacting with the police, and helpful resources and services.



The Kansas City Missouri Police Department is dedicated to ensuring that every individual's contact with any member of the department is that of dignity and respect. We hope the more information provided about law enforcement, the more mindful one is in their behaviors when coming into contact with police officers.

Finally, please feel free to share this guide with others. Thank you for educating yourself by reading this guide to understand your role when in contact with us.

Sincerely,

A handwritten signature in blue ink that reads "Richard C. Smith". The signature is written in a cursive, flowing style.

Richard C. Smith  
Chief of Police  
Kansas City Missouri Police Department

# If You Are Contacted by the Police:

*Know your right to file a complaint. Keep reading for more information and refer to “Where to File a Complaint” section.*

## ● Remain Calm

- Don’t assume the worst.
- Fear and adrenaline can create problems for you and the officer.

## ● Be Respectful

- This includes your attitude and actions.
- Don’t raise your voice.
- Treat the officer the way you want to be treated.

## ● Follow Directions

- Don’t resist arrest or run.
- Failure to follow an officer’s directions can lead to arrest, serious injury, or death.
  - This is not the time to challenge the officer. If necessary, you can file a complaint later or argue your case in court.

## ● Tell The Truth

- It’s better to say nothing than to lie to an officer.
- Lying to an officer is a crime.
- If an officer discovers you lied, they may not believe anything else you say.

## ● Keep Your Hands Open and Where The Officer Can See Them

- Don’t put your hands in your pockets.
- Don’t reach for **anything** unless the officer gives you permission.
- The officer may think you have a weapon.

*At times, even officers deal with stranger danger and don’t make it home to their families, so until the officer spends time with you and sorts through information they do not know anything about you.*



- **Avoid Making Sudden Movements**

- It may seem that you are taking out a weapon or hiding something.

- **No Touching**

- Hitting or pushing an officer is a crime.

## **Police Practices**

### **Consensual Encounters**

A “consensual encounter” is when an officer contacts you and the officer has no legal reason to suspect you are doing anything wrong.



- **This type of police contact usually involves an officer asking for basic information like your name, address, date of birth, phone number, and probation status.**
- You can ask the officer if you are free to leave. If the officer says yes, they should not stop you from leaving because the conversation is voluntary.
- Sometimes a consensual encounter becomes a detainment.

### **Detainment**

If the officer says you're NOT free to go, you are being detained.

- **If an officer has a suspicion that a crime has occurred, the officer may detain you in order to investigate their suspicions.**
- The officer may write down your name and other information. This doesn't mean you are under arrest.
- The officer may take a picture of you or your tattoos.

They are allowed to do this if you give them permission or if you are being detained for a specific crime.

- When you are being detained the officer may do a “pat-down” (a.k.a. frisk) of your clothing if they suspect you are hiding a weapon. A pat-down can lead to a search if the officer feels something that might be a weapon or illegal.

Once the investigation is done, if you’re not taken into custody, you should be allowed to leave. **If you believe what is happening is wrong, don’t challenge the officer or run. You could end up being arrested.** If you think an officer has done something wrong to you or someone else, you can file a complaint later.

## Probable Cause

If the officer has reasonable belief that you were or are involved in a crime, also known as probable cause, you may be arrested or taken into custody. Ask if you are under arrest. If you are, ask the reasons why. You have the right to know, but ask in a respectful manner.

## Miranda Rights & Arrests

### When do officers have to read you your rights?

When an adult has been taken into police custody or is otherwise deprived of their freedom of movement in any significant way, the Miranda Warning should be given **prior to any custodial questioning.**

- Any spontaneous statement or admission that is not the result of questioning is admissible in court.
- An officer may engage in general, on-the-scene questioning regarding the facts surrounding a crime or other general questioning during the fact-finding process.
- Officers can ask you general questions such as your name, address, and date of birth without reading your Miranda rights.
- When a citation or summons is issued, questioning at the



scene does not constitute custodial questioning. It is considered an act of responsible citizenship for you to give whatever information you may have to aid in law enforcement.

There is absolutely no necessity to give a Miranda Warning at the time of arrest as long as the officer does not undertake any questioning. T.V. and reality are not the same.

### **What's the point of reading you your Miranda rights?**

- The point of Miranda rights is to inform you that what you say can be used against you in court.
- If you aren't sure you should talk, tell the officer/detective you would like to speak to a lawyer before answering any questions.
- If you understand your rights, you may choose to speak to the officer/detective, but doing so may put your legal rights or defense at risk.

### **When an officer has read your Miranda rights, the officer should say the following things:**

- You have the right to remain silent.
- Anything you say can be used against you in a court of law.
- You have the right to talk to a lawyer and have them present with you while you are being questioned.
- If you cannot afford to hire a lawyer, one will be appointed to represent you before any questioning, if you wish.



# Warrants and Searches

## At Home

### Arrest Warrants:

- Arrest warrants are orders issued by a judge to take you into custody.
- A warrant does not expire unless it is taken back by the court or you are arrested.
- If you think there is a warrant for your arrest, you should call your local police or sheriff's department and ask how to take care of it.
- One way to avoid an arrest warrant is to attend scheduled hearings or court dates. If you don't show up and you didn't get permission from the court ahead of time, a warrant can be issued. Calling the court or writing a letter isn't enough. You must have a written notice from the court that your court date has been rescheduled or that you do not have to appear.

### Search Warrants:

- A search warrant is an order signed by a judge which gives officers permission to search certain areas or locations for the specific items listed in the search warrant.
- Officers must give you a copy of the warrant and a list of any items they recover.
- If you are on probation or parole and have a search condition, a probation or parole officer does not need a warrant to search you, your car, or your home.

## On Public School Campuses

### Search Warrants:

- In most cases, officers need a search warrant based on probable cause to search you, your house, or car. In a school, officials, teachers, or officers don't need a search warrant if they have a special need to conduct a search or if they suspect criminal activity.
- Searches can be done in schools based on "**reasonable suspicion.**" If a teacher or school administrator suspects that you're breaking a law or school policy, you may be searched.
- If your personal possession (like your backpack, locker, purse, or car) are on school property, they can also be searched.

# Traffic Stops



Traffic stops are one of the most dangerous situations for officers, especially at night. In addition to driving violations like speeding or running a red light, officers can legally stop cars for many other reasons. Some examples are:

- Not wearing a seat belt.
- Littering or throwing objects from a car.
- Having only one license plate on a vehicle (in Missouri, you must have one in the front and one in the back, properly affixed to the vehicle).
- Covering a license plate (e.g., with a thick frame).
- Obstructions in vehicles that interfere with the driver's normal view of the roadway (e.g. cracks, stickers, snow, signs).
- Illegally modifying the vehicle (exhaust, dark tinted windows, etc.).
- Playing music too loudly.
- Covering both ears with headphones.

## What happens if you are stopped while driving a car?

When asked, show your driver's license, registration, and proof of insurance. An officer may instruct you to remain inside the vehicle or exit the vehicle during a stop. This is for the officer's safety and you should obey these orders.

Normally, your car can't be searched without your permission. However exceptions include:

- The officer has probable cause (such as the smell of marijuana or contraband is in plain view).
- You are placed under arrest.
- It's a condition of your probation or parole (or your passenger's).
- Your car will be inventoried prior to being towed.

Be respectful toward the officer but clearly let them know if you object to the search.

Do not physically resist, yell, or insult the officer. You can always file a complaint later or argue your case in court.

## Driving

If you have a driver's license or learner's permit, you must have it with you at all times while driving a vehicle. If you are stopped and you don't have your license or permit with you, the following could occur:

- You may receive a ticket and/or not be allowed to drive away.
- Your car may be towed.
- The officer may allow you to contact someone who has a valid license to drive the vehicle home. It's up to the officer.

Driving in Missouri while under the age of 18 carries different rules and regulations. For more information, call your local Missouri Department of Motor Vehicles (DMV) or download the Missouri Driver Guide from the Missouri Department of Revenue's website.

For information about tickets and payment information visit: <http://kcmo.gov/court/fines-court-dates-and-warrants/>

## Serious or Fatal Vehicular

- If you come upon a vehicular with serious injuries or a fatality, please pull your vehicle ahead of the vehicular.
- If you are a witness to the vehicular, please stay calm and have patience while waiting for an officer or detective to speak with you. The officer(s) will arrive and have numerous tasks to immediately respond to and complete.
- Write down or type a note on your phone as to what you saw. Try not to speak to anyone except an officer or detective about what you saw. Memory can be influenced by what others saw from a different viewpoint. Everyone sees a scene from different views.
- Don't touch or move anything unless you administer first aid. Leave the debris where it is for the investigators to photograph.

## Crime Scene Dos and Don'ts

### If a crime happens in front of you:

- **Do** call 911 as soon as the crime occurs. This is important because it gives an accurate account of what time the crime occurred.
- **Don't** leave. You can help detectives with understanding the crime scene.
- **Do** stay where the officers direct you, they need to protect the crime scene.
- **Don't** talk to other people at the scene, only the police. Be patient, it might take a long time before a detective can come talk to you.
- **Do** stay calm. Try to remember a description of the person or vehicle involved. Even if it wasn't clear while talking with the officer/detective, once you do remember something (even if it seems small and unimportant) write it down and call the station or detective.
- **Don't** move or touch anything at the scene. Officers/detectives need the scene to stay as it was prior, during, and after the crime. If you move or touch anything you may leave behind your DNA.

# When an Officer is Involved in a Shooting

- If you are a witness, please stay at the scene and don't speak to anyone unless it is an officer or detective. You can help officers/detectives understand the crime scene.
- Officers may not be responsive as they arrive to the scene. They are thinking about how to preserve the crime scene and concerned about the wellbeing of all parties involved.
- There are several investigations that take place after this type of shooting:
  - An internal investigation conducted by the Police Department's Internal Affairs Unit
  - Prosecutor investigation
  - Medical Examiner investigation
  - Sometimes, an investigation conducted by the Department of Justice

## Try not to believe everything you hear/see on the news.

- The news will interview whoever is willing to talk about what happened.
- The Police Department has a Media Unit that issues statements.
  - The information from the department may be vague.
  - The department cannot provide details on open/ongoing investigations.



## Officers Have Rights Just Like Any Victim, Especially the Right to Due Process

### What is Due Process?

“No free man shall be seized or imprisoned, or stripped of his rights or possessions, or outlawed or exiled, or deprived of his standing in any other way, nor will we proceed with force against him, or send others to do so, except by the lawful judgment of his equals or the law of the land.”

## What is the Difference Between a True Bill and No True Bill?

### True Bill

The written decision of a Grand Jury (signed by the Grand Jury foreperson) that has heard sufficient evidence from the prosecution to believe that an accused person probably committed a crime and should be indicted. Thus, the indictment is sent to the court.

### No True Bill

A legal procedure to dismiss charges against a defendant when the grand jury does not find enough evidence to charge the defendant with violating a law. Also called “no bill.”



## Where to File a Complaint

You have the right to file a complaint of misconduct against a Kansas City Missouri Police Officer or member of the Police Department. If you feel a member of the Kansas City Missouri Police Department has committed misconduct, you may contact the Office of Community Complaints (OCC) or visit their website. [Kcmo.gov/police/office-of-community-complaints](http://Kcmo.gov/police/office-of-community-complaints).

### The Office of Community Complaints

635 Woodland Avenue, Suite 2102

Kansas City, Missouri 64106

(816) 889-6640

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## Tips Hotline



**Remain Anonymous • Receive Cash Rewards**

**Tips Hotline**  
**816-474-8477**

**Web Tips**  
**[www.KCcrimestoppers.com](http://www.KCcrimestoppers.com)**

**Free Mobile App**  
**[www.P3Tips.com](http://www.P3Tips.com)**



# Notes

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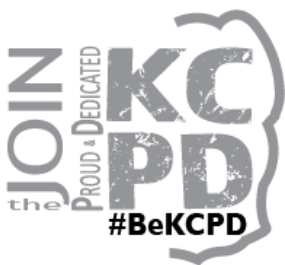
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## Now Hiring



Kansas City Missouri Police  
Department  
Employment Section  
901 Charlotte  
Kansas City, MO 64106  
[careers.kcpd.org](http://careers.kcpd.org)  
816.234.5400

**If interested, please complete an on-line application at  
[Careers.kcpd.org](http://Careers.kcpd.org).**

*The Kansas City Missouri Police Department is an Equal Employment Opportunity employer committed to diversity in the workplace. All qualified applicants will receive consideration for employment without regard to race, color, religion, sex, sexual orientation, age, national origin, disability, protected veteran status, gender identity or any other factor protected by applicable federal, state or local laws.*

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