

You *and the* Police



New Jersey
Department of Human Services
Division of the Deaf and Hard of Hearing

The police make sure that the laws are obeyed. They are responsible for protecting people and property. United States federal laws, including Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA), require the police to have TTY's so that people with hearing loss can contact them and understand what they say.

New Jersey law (N.J.S.A. 34:1-69.10 et. seq.) requires the police to obtain or make a reasonable effort to secure an interpreter who is certified by the National Registry of Interpreters for the Deaf (RID) so that you can: make a complaint against another person; understand that you are being accused of doing something wrong; communicate with police as a parent of a juvenile who is accused of wrongdoing; and, provide police with information about someone else who is suspected of doing something wrong.

Definitions:

- Crime:** an act that breaks the law.
- Victim:** a person who has been injured or has had a crime committed against him or her
- Witness:** someone who sees a crime or accident happen or has information about a crime.
- Arrest:** when the police stop you from leaving if there is reason to believe that you committed a crime.
- Warrant:** a court paper that allows the police to arrest someone or to look for something.
- Summons:** a paper served to someone suspected of a crime. This paper tells the person to go to court on a certain day. You must go or you will be in more trouble.

If you are a victim or witness a crime:

- Contact the police immediately.
- Give basic information about the incident.
- Let the police know that you need an RID certified interpreter; the police department is responsible to pay for the interpreter.

If your car is stopped by the police:

Let the police know that you are Deaf. Be careful to explain what you are doing before you reach for anything. Do not move fast. Show the police your driver's license, registration, and insurance card. The police may give you a ticket. If you do not agree with what the ticket says, do not argue with the police; you have the right to tell a judge that you do not agree in court. Read the ticket carefully, as soon as possible, to find out what you must do. If you do not want to go to court, you may pay the ticket before the court date (Note: If you are arrested, you do not have to provide any additional information until the interpreter arrives).

If you are in a car accident:

Do not leave the place where the accident happened. You will be in trouble if you drive away without permission from the police officer.

- If someone is hurt or there is a lot of damage to cars or property, contact the police.
- Exchange names, addresses, telephone numbers, license numbers, insurance company names, and insurance policy numbers with the other driver.
- If the police come, politely get the officer's name, badge number, and the report number for the accident.
- Try to obtain the names, addresses, and telephone numbers of any witnesses.
- Move the cars out of the way if you can, but only if no one was seriously hurt.

Your Legal Rights:

A legal right is something the law promises that you will be given or allowed to do. No one can take away your legal rights. If you do not know your rights, you may not be treated fairly.

These are some of your rights:

If you are arrested:

- Let the police know that you are Deaf.
- Give the police your name and address.
- You do not have to give the police any more information until an interpreter arrives (Note: The police are not required to provide an interpreter in motor vehicle stops).
- If you say anything to the police, they may use it against you in court.
- Do not argue or fight with the police, even if you think they are wrong.
- Do not accept an interpreter you cannot understand, or who cannot understand you.
- Do not talk to the interpreter privately about the situation.
- You are allowed to have a lawyer. A lawyer will help you answer police questions.

If you need to talk to a lawyer

- You have the right to talk privately with your lawyer.
- If you cannot afford to pay a lawyer, the court will help you obtain one.
- Let your lawyer know that you need an RID certified interpreter.
- Be honest with your lawyer. Tell your lawyer everything about what happened.
- Ask your lawyer about anything you do not understand.

If you must go to court

- The court must provide you with a certified interpreter, assistive listening device or real time captioning.
- Everything you say in court must be the truth.
- You cannot be forced to say anything that will hurt you.
- Your lawyer has the right to ask all witnesses questions.
- You have a right to trial or hearing by jury.

Problems with the police:

If you have any problems getting the police to use TTYs or provide interpreters, contact the New Jersey Division of Criminal Justice.

New Jersey Division of the Deaf
& Hard of Hearing
P. O. Box 074
Trenton, New Jersey 08625-0074
(609) 984-7281 V/TTY
(800) 792-8339 V/TTY

New Jersey
Division of Criminal Justice
P. O. Box 085
Trenton, New Jersey 08625-0085
(609) 984-6500 Voice
TTY users call 711 Relay

Note: This information is a public courtesy to our constituents and is not legal advice. You should talk to an attorney when you have a legal problem.

State of New Jersey
Department of Human Services
Jon S. Corzine, Governor