

the midnight special law collective presents...

# KNOW YOUR RIGHTS

comix



Marquis was arrested on suspicion of burglary. He has been in jail for 28 hours. He is hungry and cold.

Marquis is just falling asleep when...

HEY, LET GO OF ME!!

...some yelling wakes him up.



Hey, you forgot my cuffs.



Marquis is getting a new cellmate.

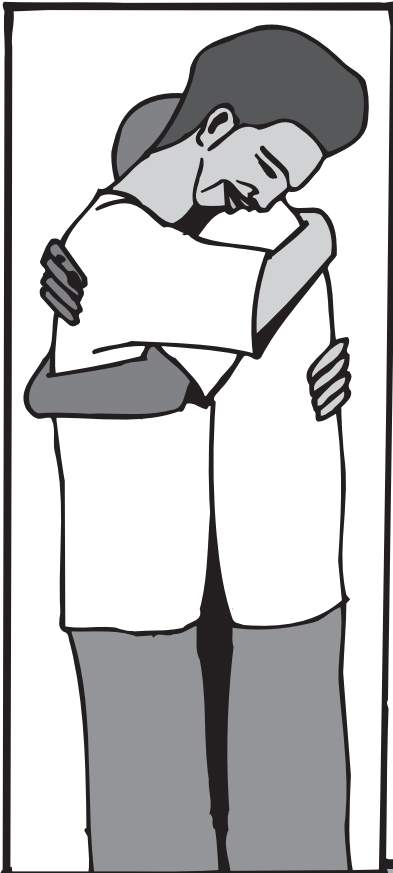
And I'm supposed to get a phone call



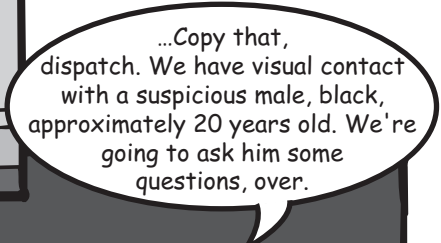
PUSH!

AHHHHHH!!!





I was on my way to Teasha's house, over on 45th street. I'd just come from my figure drawing class at City College, so I had my backpack with all my art stuff in it.



I usually go over to Teasha's after class on Wednesdays and eat dinner with her folks. Her momma cooks some good food. We were going to watch that movie Slam.

That's when these two cops pulled up in front of me and started asking me questions.

Hey! Kid! How long you been sitting here?

Huh? I don't know. Maybe 20 minutes.

That's loitering. What are you doing around here?

Waitin' for a bus.

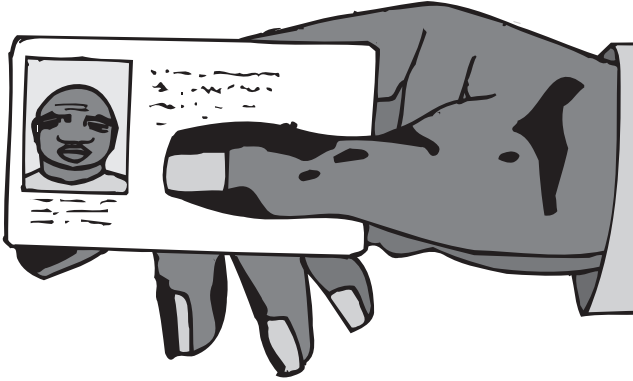
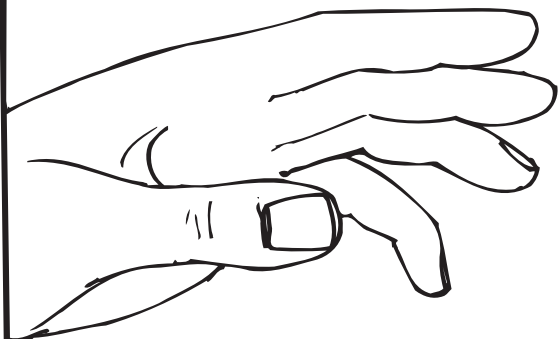
Smart guy, huh? Where you goin' smart guy?

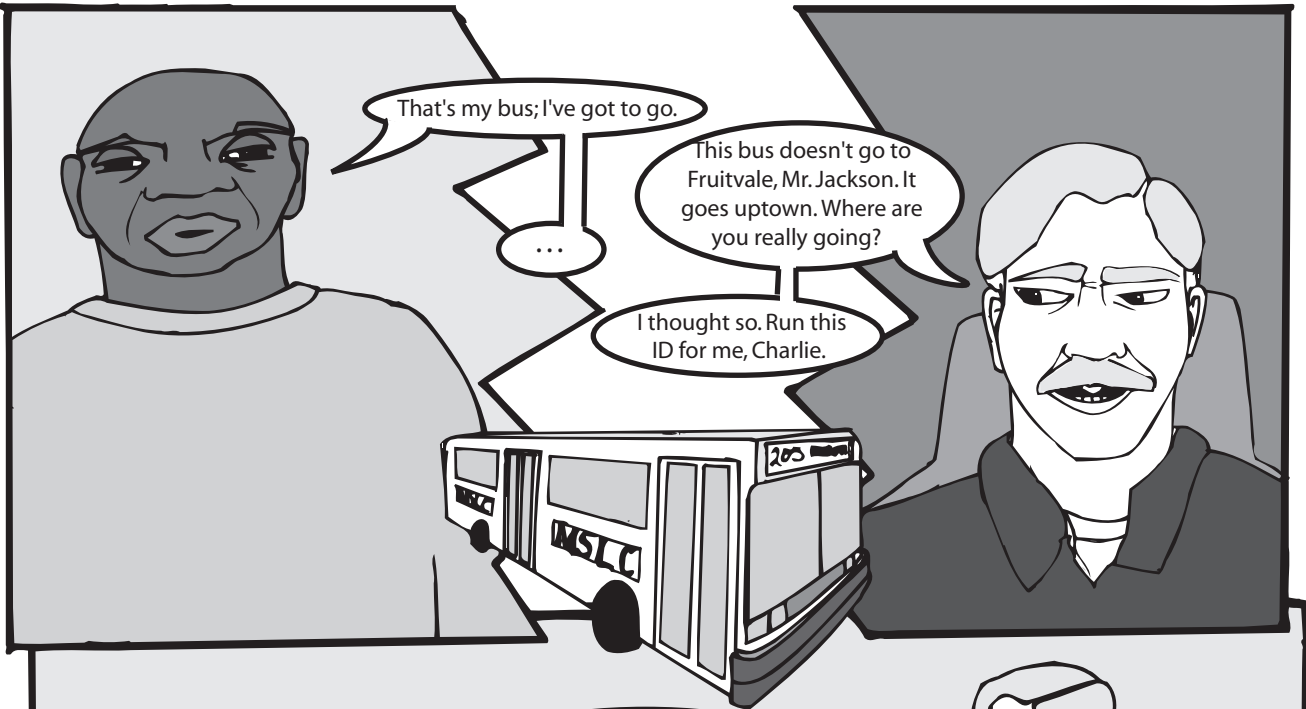
Home.

Where's home?

I live in Fruitvale, on Gilman Street.

Let's see some ID.





That's my bus; I've got to go.

...

This bus doesn't go to Fruitvale, Mr. Jackson. It goes uptown. Where are you really going?

I thought so. Run this ID for me, Charlie.



Do you have any drugs or weapons, Mr. Jackson?

No.

Does he have any warrants, Charlie?

No, no probation either. He's clean.



Your hands are covered in paint, Mr. Jackson, and somebody's been vandalizing this bus stop with graffiti.

It's not paint. It's ink. I'm an artist.

Sure ya are.



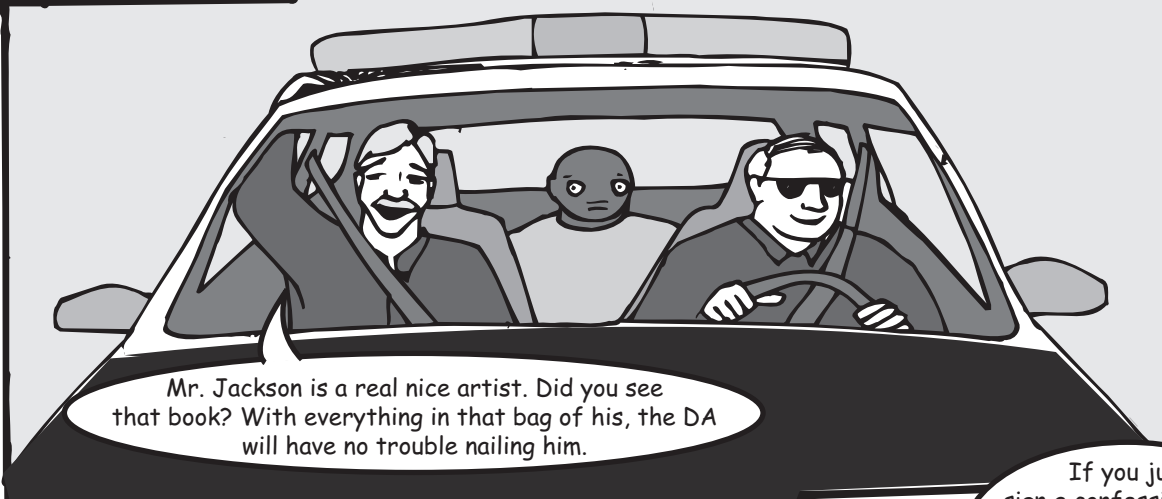
I AM an artist! Look, I have my sketchbook right here in my bag.



Oh, and what do we have here? Looks like graffiti paint to me.



You're coming to the station with us, Mr. Jackson. Up against the wall. Hands on your head.



Mr. Jackson is a real nice artist. Did you see that book? With everything in that bag of his, the DA will have no trouble nailing him.



You kids think you can get away with anything. Well, you're gonna find out different this time! You know the sentence for felony vandalism?

I didn't know what to think. I hadn't done anything and they were talking about thousands of dollars and even jail time! So, I asked them what I could do.



If you just sign a confession, we'll recommend probation, and you can go home tonight. If not, well, you know as well as I do...

You don't have a chance of winning this case in court!



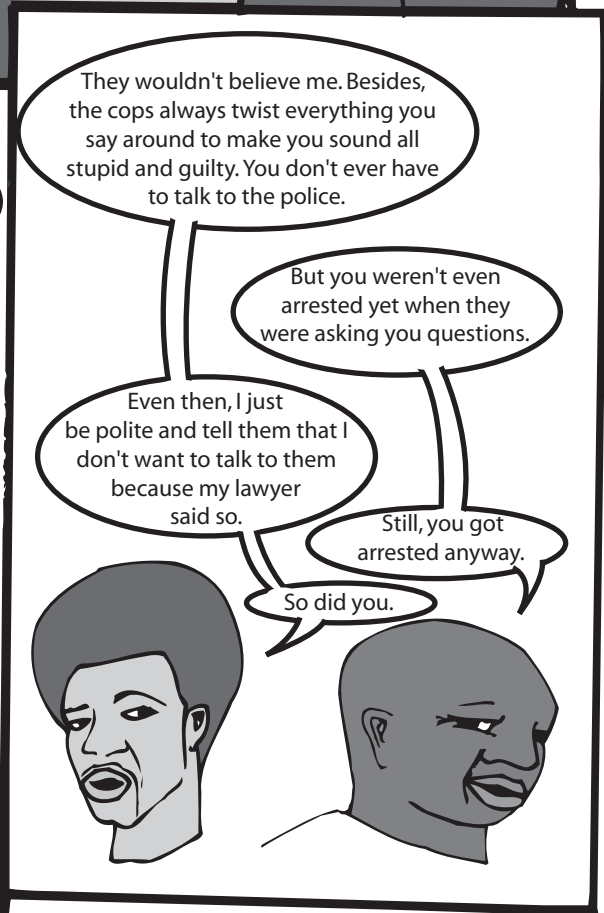
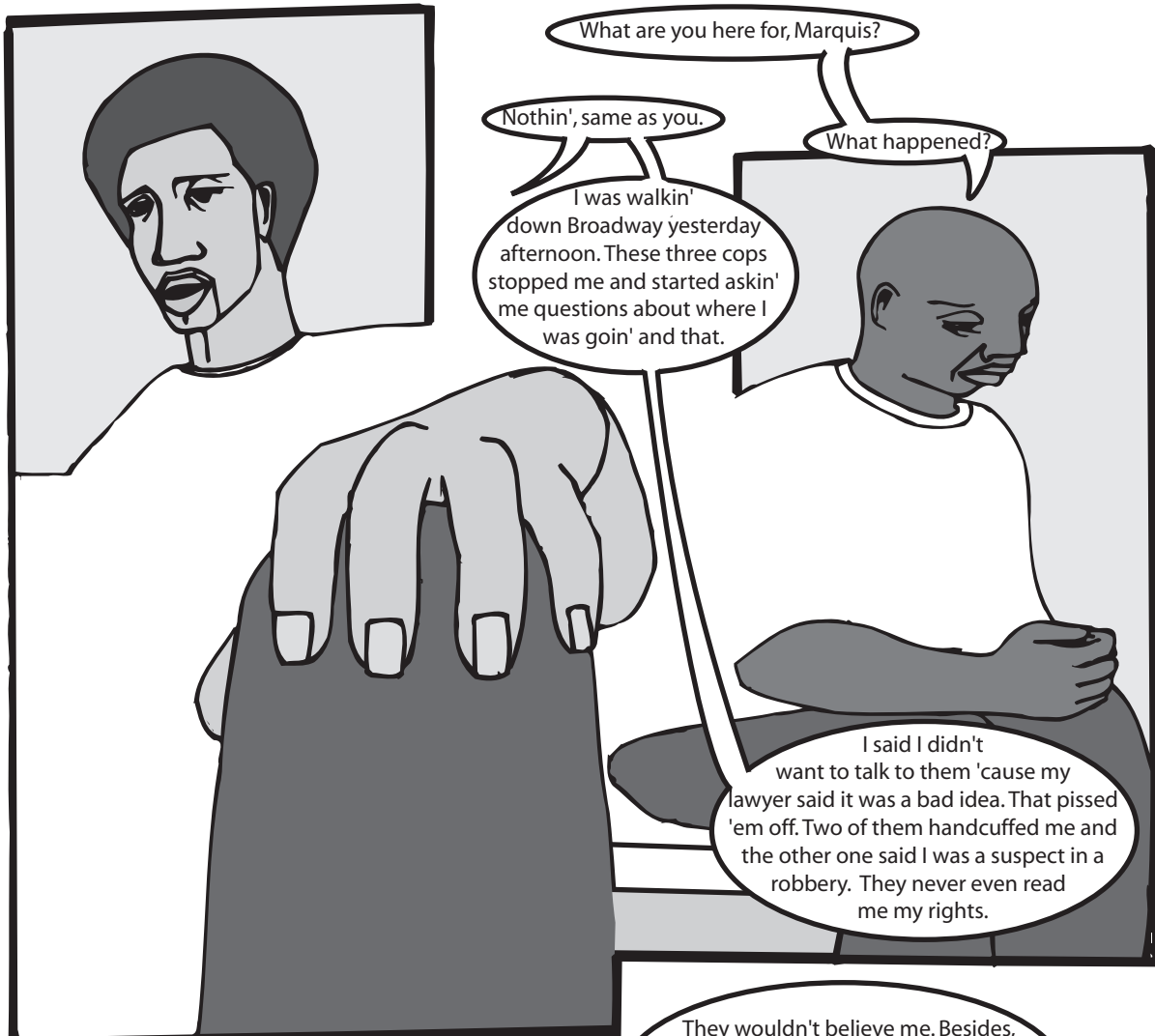


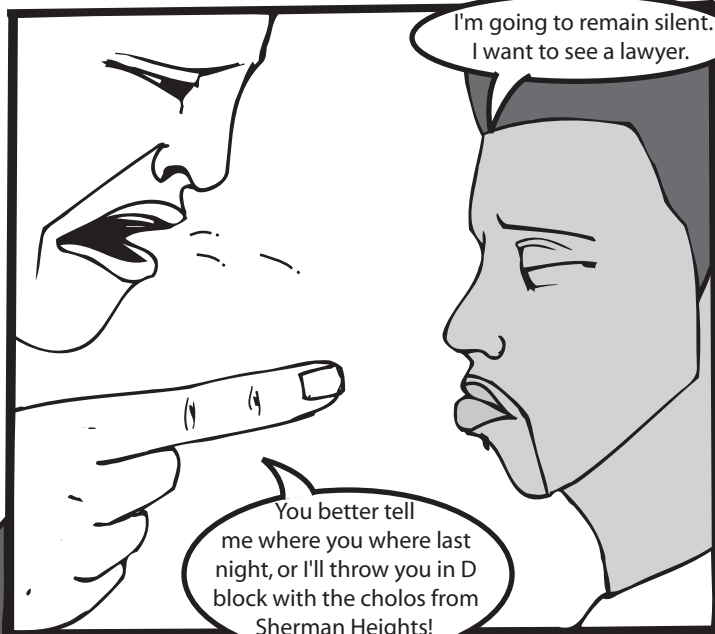
I told them I didn't do anything so I wasn't going to confess. They said they'd see what I thought after a couple hours in jail.



Now I don't know what to do. They've got my art stuff as evidence against me, they won't let me call my mom and Teasha probably thinks I stood her up. It's messed up. I think I might just sign the confession.

DEAR GOD?  
GIVE ME STRENGTH. I DO NOT WANT TO BE CAPTIVE IN THIS SYSTEM LIKE SO MANY BROTHERS



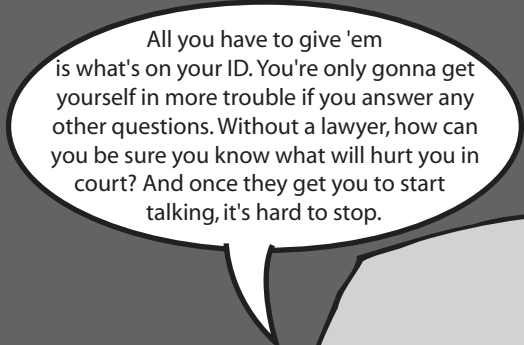


I'm going to remain silent.  
I want to see a lawyer.

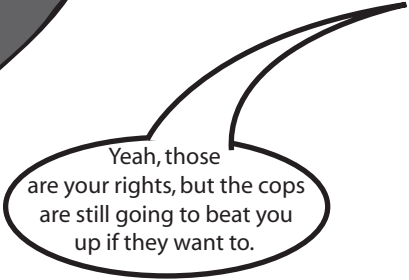
You better tell  
me where you were last  
night, or I'll throw you in D  
block with the cholos from  
Sherman Heights!



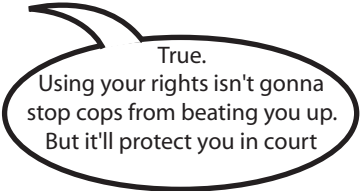
I'm Lieutenant Smith. I guess  
it didn't go so well with Higgins. He gets  
really worked up sometimes. The Sergeant  
just wanted me to come in to give you a  
chance to tell your side of the story. You  
haven't said anything yet, and  
that's gonna look pretty  
bad in court...




All you have to give 'em  
is what's on your ID. You're only gonna get  
yourself in more trouble if you answer any  
other questions. Without a lawyer, how can  
you be sure you know what will hurt you in  
court? And once they get you to start  
talking, it's hard to stop.



Yeah, those  
are your rights, but the cops  
are still going to beat you  
up if they want to.



True.  
Using your rights isn't gonna  
stop cops from beating you up.  
But it'll protect you in court

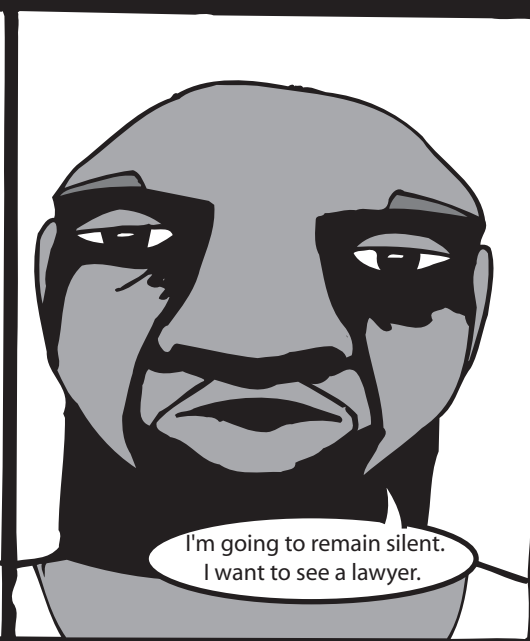
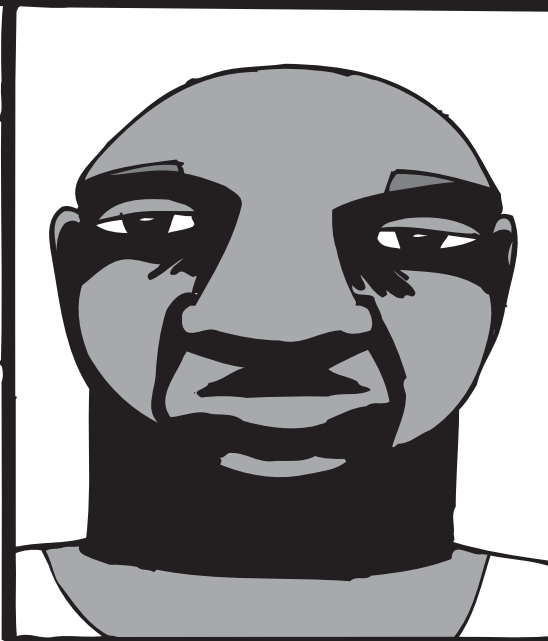


I'm going to remain silent.  
I want to see a lawyer.

Aren't you afraid they're gonna think you're hiding something? Like the cops said, doesn't it just make you look more guilty?

The police are thugs and liars. Straight up. They might try to scare and intimidate you, or they might pretend to be nice. They'll do anything to try and get you to talk yourself into trouble. You know cops. Do you honestly think that it's going to help you to say anything to them?





# WARNING!

If you're in custody, don't say anything you don't want the police to hear! Don't talk about why you were arrested when you're in a police car, a holding cell, or even when making your phone call. The cops can listen in on all your conversations (and can record them) and will use all kinds of tricks, including posing as a cellmate, to get you to talk.

*Unlike Marquis and Josh, you should never talk to anyone about the details of your case except your lawyer!*

Matthew Riederer, a 23 year old white activist and artist from Colorado, drew everything in this comic book. He has never been to jail.

This premiere issue of Know Your Rights Comix is a project of the Midnight Special Law Collective, five people sharing anti-capitalist, anti-authoritarian revolutionary politics who are committed to providing relevant, useful legal information and accessible and accountable legal support to those targeted by government oppression.

Shout outs to PUEBLO, Maggie Oragon, Rory from Ella Baker Center for Human Rights/YEC, Jess from PARC, Clea's kids, Marshall's kids, Quinn and Roseli at Let's Get Free, Juban who I met on the BART, Rachel Wallace, Berenice b from sd, Terry Koch, and Nate Stone.

Dedicated to Eneri Rodriguez and Germiné Garrus

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## **Artists Wanted!**

We're looking for young people to collaborate with us on storyboarding and artwork for new issues of Know Your Rights Comix! Contact us at [comix@midnightspecial.net](mailto:comix@midnightspecial.net).

# Basic Legal Info

**This information applies to all law enforcement, not just police.**

## Safety

When dealing with the police, keep your hands in view and don't make sudden movements. Never touch the police or their equipment (vehicles, flashlights, animals, etc.) – they could beat you up and then charge you with assault.

## (Not) Talking to Police

It's legal to refuse to answer questions from the police. In fact, whether you're stopped, questioned, or arrested by police, the less you say the better. Whenever the cops ask you anything besides your name and address, it's legally safest to say these Magic Words: *"I am going to remain silent. I want to see a lawyer."*

If the police stop you, ask if you're being detained. If they say yes, you cannot leave, but you don't have to answer their questions. If you've committed a crime or they have reason to suspect that you did, they can ask you to identify yourself and usually want proof in the form of I.D. If you refuse to identify yourself or can't, the police can hold you until they can identify you "to their satisfaction."

The cops don't have to read you your rights. Cops will use anything you say against you. Cops are legally allowed to lie when they're investigating, and they are trained to be manipulative. Demand to speak to a lawyer before you answer any questions or sign anything.

Don't talk to anyone about your case except your lawyer, especially when you're in police custody. Assume you are being recorded in police cars, in cells, and when you're talking on the phone from jail. Police have also been known to plant undercover officers in cells posing as fellow prisoners in order to trick people into talking about their cases.

If you are not a US citizen, don't say anything or sign anything until you've seen a lawyer. You still have the right to remain silent, the right to speak to a lawyer before signing any documents or answering any questions, and the right to have an lawyer present during any interview with the INS or immigration hearing. You also have the right to a hearing with an immigration judge.

## Searches

Never consent to a search. If cops try to search you, do not physically resist, but say loudly and clearly "I do not consent to this search." Opening your bag, your door, your trunk, etc. implies consent – don't do it. If the police come to your home, step outside and lock the door behind you. Ask to see the warrant and make sure it has the correct name and address and a judge's signature. If it is wrong, send them away. No matter what it says, always say *"I do not consent to a search"*.

## Copwatch!

You can help fight the rampant abuse of police power by paying attention to police activity in your neighborhood. If you or members of your community are being harassed by the cops, you can take action by organizing copwatch groups or police abuse hotlines. If you witness or experience police brutality, try to get as much information as you can about the identity of the cops and the incident. Get a medical report and photographs documenting injuries as soon as possible. You can also choose to file a complaint with Internal Affairs and your city police review board or citizens' complaint office. In Oakland, you can contact PUEBLO for more information about how to do this.