KNOW YOUR RIGHTS!
Needle Exchange Program (NEP)

Police are *not* allowed to:

- confiscate your needles
- charge you with paraphernalia possession
- use residue in your needles to bring possession charges
Who is Eligible?

- Wilmington residents
- Protected throughout Delaware
- Different laws apply in other states
Personal Use Only

- Do not sell or give your works away
  - You could be charged if you do
  - Instead, encourage others to join NEP
Needle Exchange Program

Brandywine Counseling Inc.
2713 Lancaster Avenue
Wilmington, DE 19805
(302) 655-9880, ext 21

www.brandywinecounseling.org
Miranda Rights

• You have the right to remain silent.
• Anything you say can and will be used against you in a court of law.
• You have the right to speak to an attorney, and to have an attorney present during any questioning.
• If you cannot afford a lawyer, one will be provided for you at government expense.
If the Police Stop You

Under Delaware’s "stop and identify" law you need only disclose:

• Your name
• Your address
• Where you are going
• What you are doing
If Questioning Continues

• “Am I free to go?”
• If yes, say goodbye and walk away
• If no, you are being arrested
  – Ask why they have stopped you

• When frisking, officers can only:
  – Pat down outer clothing
  – For weapons or obvious contraband
Phrases to Remember

- “I want to speak with an attorney”
- “Can I see the warrant?”
- “I don't consent to this search”
- “I am not resisting arrest”
Your Rights at Home

Your home is your castle
If police come – **ask for a warrant**

Police don’t need a warrant:
- If you consent
- For Items in plain view
- For search during valid arrest
- If you are, or live with, a probationer
Living with Probationers

• Police don’t need warrants to search homes of probationers

• They can search you even if you only live with a probationer.

• Lock your room and don’t give probationer a key.
Your Rights During a Car Stop

- Ask why the officer stopped you
- Police can ask everyone to get out of the car
- Do NOT consent to a search of the trunk
- Do NOT answer any questions
- If you are the passenger, you may ask if you are free to go.
- They can ONLY search without permission with probable cause.
- Probable cause includes containers in the passenger compartment
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