

If you are approached by Police, Know Your Rights *(ACLU)*

You have the right to remain silent. For example, you do not have to answer any questions about where you are going, where you are traveling from, what you are doing, or where you live. If you wish to exercise your right to remain silent, say so out loud. (In some states, you may be required to provide your name if asked to identify yourself, and an officer may arrest you for refusing to do so.)

You do not have to consent to a search of yourself or your belongings, but police may pat down your clothing if they suspect a weapon. Note that refusing consent may not stop the officer from carrying out the search against your will, but making a timely objection before or during the search can help preserve your rights in any later legal proceeding.

If you are arrested by police, **you have the right to a government-appointed lawyer** if you cannot afford one.

You do not have to answer questions about where you were born, whether you are a U.S. citizen, or how you entered the country. (Separate rules apply at international borders and airports as well as for individuals on certain nonimmigrant visas, including tourists and business travelers. For more specific guidance about how to deal with immigration-related questions, see our immigrants' rights section.)

How to reduce risk to yourself

Stay calm. Don't run, resist, or obstruct the officers. Do not lie or give false documents. Keep your hands where the police can see them.

What to do if you are arrested or detained

Say you wish to remain silent and ask for a lawyer immediately. Don't give any explanations or excuses. Don't say anything, sign anything, or make any decisions without a lawyer.

If you have been arrested by police, **you have the right to make a local phone call.** The police cannot listen if you call a lawyer. They can and often do listen if you call anyone else.

Visit the ACLU's website for more information: <https://www.aclu.org/know-your-rights/stopped-by-police/>

Find out more about us at:



www.omahaabolitionresearch.org
Instagram, Twitter, FB: @omahaabolition

Guide to Filing a Police Complaint and Citizen Review

Omaha, NE

Citizen complaints against Omaha Police Officers and/or non-sworn employees are investigated by the **Internal Affairs Unit | (402) 444-5629**

Any citizen may obtain the necessary complaint form (available in English or Spanish) at any one of the following locations:

1. Mayor's Office
2. All Omaha Public Libraries
3. Police Precinct Stations
4. Central Headquarters - 505 South 15th Street
5. Visiting City of Omaha Website

<https://police.cityofomaha.org/citizencomplaints>

In order to complete this form you will need:

- The **date** of contact with the officer or employee: Use MM/DD/YYYY format
- The **time** of contact: Indicate AM or PM when entering the time
- The **location** of contact: Enter a street address, or cross streets or business name
- The **name of the employee**: Include their serial or badge number or precinct if known
- What **event** initiated your contact with the employee: Include as much detail as needed
- Describe the **actions** taken by the employee: Include as much detail as needed
- **Your name**: Include your first and last name
- **Your address**: Include your street and mailing address
- **Your telephone number**: Include your area code, and extension if needed

What Happens Next:

1. After filling out the form, contact the **Internal Affairs Unit at (402) 444-5629** and advise them that you are ready to formalize your complaint.
2. The Internal Affairs Commander will then assign the case to an investigator for followup.
3. The assigned investigator will begin by contacting you to schedule an interview. Do not sign the complaint form until you are in the presence of the Internal Affairs investigator. Once signed, the Internal Affairs investigator will provide you with a photocopy of the complaint form.
NOTE: You will be allowed to bring a personal representative or associate with you to the interview if you desire.
4. After the investigation is complete, the Chief will review the case file and make a finding of one of the following:
Sustained – There is enough evidence to prove the allegation is true.
Not-Sustained – There is not enough evidence to prove or disprove the allegation.
Exonerated – The incident occurred but was lawful and proper.
Unfounded – The complaint or allegation is proven false.
Policy Failure – The incident may or may not have occurred, but the investigation disclosed faulty practices, policies and/or procedures.
5. You will be notified of the results of the investigation by a letter from the Chief of Police.

If not satisfied with the internal review, you may then File a request with the Citizen Review Board request for review.

In order to complete this form you will need the information from your Police Complaint. If you wish to request a review, you must do so within 10 days of notification of your complaint outcome.

Go to:

https://police.cityofomaha.org/images/CCRB_Request_for_Review_v3.pdf

Process of Citizen Review Board

Due to provisions in the City Charter, *Omaha Municipal Code 23-25*, as well as the *Collective Bargaining Agreement* (can be found online at hr.cityofomaha.org) between the City and the Police Union, proceedings of the review board are considered confidential and shall not be open to the public or media.

After receiving your request the Citizen Review Board will "review the investigative process and results of the complaint." During the review the board will identify areas of concern in the investigative process, violations of Standard Operating Procedures, or absence of procedures, training, etc. The board will then release its recommendations and findings to the Mayor. Findings by the board are submitted confidentially to the mayor, who has the discretion to provide information to relevant parties.