

Do you have to identify yourself when police in Minnesota ask?

In general:

While there is no LEGAL requirement to identify yourself, it is a practical necessity. Just show your ID to avoid further detention. There are many things that are not permissible. 1) Walking or running away may be deemed misdemeanor "fleeing on foot" . . . even if you are the pedestrian version of the "slow white bronco". 2) Giving a false name to an officer is a crime. 3) Giving a false DOB to an officer is also a crime.

If an officer asks for identification, ask if you are free to leave. If he says "yes" then you can walk away. If he says "no", it is a de facto arrest and you will need to show ID as a practical matter.

When carrying:

Minnesota law requires you to present ID and permit to carry when asked by a law enforcement officer for lawful reasons. You may still ask if you're free to go/being detained (see above). See additional considerations below.

When operating a motor vehicle:

Minnesota law requires you to present proof you can operate that motor vehicle, i.e. ID, when asked by a law enforcement officer. You may still ask if you're free to go/being detained (see above). See additional considerations below.

Additional considerations:

- **You have rights, including a constitutional right to not be unreasonably stopped, questioned or searched.**
 - When being questioned by an officer, you may at any time ask if you are free to go or if you are being detained.
 - Police have advised good people to say enough to get them to go away but not enough to incriminate yourself.
 - If you get uncomfortable with the line of questioning you do have the right to invoke your right to remain silent.
 - The Supreme Court recently ruled that silence can imply guilt, so make sure you *invoke* your right to remain silent.
- **If being detained or arrested, remember to politely assert your rights, primarily:**
 - **Invoke your right to remain silent until you speak with your attorney.**
 - We *recommend* Blair Nelson, Criminal Defense Attorney, www.blairwnelson.com, 205 Seventh Street NW, Suite 3, Bemidji, MN 56601. 218-444-4531 or 218-766-4936, bnelson@paulbunyan.net.
 - **Do not consent to a search or seizure and if necessary verbally assert that.**
 - They will probably do it anyway but you can still assert that.
 - Make sure your family and friends understand that *no one* should let law enforcement search your property without a warrant or exigent circumstances if probable cause exists.
 - The Supreme Court recently ruled that it only takes one resident agreeing (even if the other disagrees) to a search to allow it.
 - This is contrary to its 2006 ruling saying that if there is disagreement, they can't enter.