

The following is a suggested statement that officers may use in preparing a statement, bulletin, or report in response to a request from the department (especially in response to a citizens complaint)

This statement should be the first thing on the report, bulletin, or statement.

CONSTITUTIONAL PROTECTION STATEMENT

“On _____ (date), at _____ (time), at _____ (place), I was ordered to submit this report (give this statement) by _____ (name and rank). I submit this report/bulletin/statement at his order as a condition of continued employment. In view of likely job forfeiture if I refuse to cooperate, I have no alternative but to abide by this order.

It is my belief and understanding that the department requires this report/bulletin/statement solely and exclusively for internal purposes and will not release it to any other agency or authority except as is required or compelled by law. It is my further belief that this report/bulletin/statement will not be released in any subsequent proceeding other than informal disciplinary proceedings within the confines of the department itself.

For any and all other purposes, I hereby reserve my constitutional right to remain silent under the FIFTH and FOURTEENTH AMENDMENTS to the UNITED STATES CONSITUTION and other rights provided by law including the Uniform Peace Officers’ Disciplinary Act. Further, I rely specifically upon the protection afforded to me under the doctrines set forth in **Garrity v. State of New Jersey** 385 U.S. 493 (1967), **Spevack v. Klein**. 385 U.S. 511 (1967) and **Gardener v. Broderick** 392 U.S. 273 (1968), should this report/bulletin/statement be used for any other purpose of whatsoever kind or description.”

PROVIDED TO YOU BY:

