



National Fraternal Order of Police • *Garrity* Wallet Cards

Cut along dotted lines. Fold along solid line. Keep both cards accessible at all times.

THE *GARRITY* STATEMENT

On **(date)**, **(time)** at **(Location)**, I, **(Name)**, was ordered to make this statement/report by **(Name and rank)**. I submit this statement/report at his/her order as a condition of my employment and upon pain of discipline/termination. I demand a representative/attorney be present before proceeding with any interview or writing any report. I hereby invoke my rights under *Garrity v. New Jersey*, 385 U.S. 493 (1967) and *Spevack v. Klein*, 385 U.S. 551 (1956).

It is my belief and understanding that this report/statement is for internal purposes and will not and cannot be used against me in any subsequent proceeding.

This statement/report is made to the best of my memory, knowledge, and belief. I reserve the right to amend or change this statement to correct or explain any unintended mistake, conflict, or contradiction, without subjecting myself to a charge of untruthfulness and demand the opportunity, before this matter is concluded, to review any and all evidence in this matter, including, without limitation, the statements and reports made by others.

For any and all other purposes, I hereby invoke my constitutional right to remain silent and to consult with an attorney pursuant to the Sixth, Fifth, and Fourteenth Amendments to the U.S. Constitution and any other rights prescribed by law.

Weingarten

Whenever being questioned administratively or even casually by a supervisor (as opposed to during a criminal investigation), a member must request a representative be present anytime the member subjectively believes that answering management's questions could lead to disciplinary action. Management does not have to advise the member of the right to a representative unless a collective bargaining agreement requires management to advise the member of the right to representation.

This information provided courtesy of the
NFOP Division of Labor Services • labor@fop.net
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KNOW YOUR *GARRITY* RIGHTS

DO NOT MAKE A STATEMENT WITHOUT AN ORDER FROM YOUR DEPARTMENT.

DO NOT REFUSE to make a statement/report if ordered to do so even if the agency refuses to comply with your administrative rights or you will be subject to termination for insubordination. **BUT CONFIRM** that you have been **ORDERED** to make the statement/report. If you are advised of your Miranda rights or if you are not ordered to make a statement/report, **DO NOT** do or say anything until you have **consulted with your FOP attorney**.