

# PEMBROKE POLICE DEPARTMENT

## Frequently Asked Questions

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If you have a question that does not appear here, please E-Mail us and we will respond either by posting as a FAQ or by return E-Mail.

**If I am stopped by a police officer for speeding or other violation and I do not have my license with me, how long do I have to produce the license?**

**Answer:** The operator must always have his/her license on his/her person or in some easily accessible place while driving a vehicle and must produce same upon the request of a police officer, M.G.L. Chap. 90, Sec. 11. You cannot go home and get your license and bring it to the officer. It is a civil infraction for not producing your license when asked to do so by an officer. This would also apply to a vehicle registration.

**After being involved in an accident, how long do I have to submit an operator's accident report to the police department.**

**Answer:** The person operating the vehicle or, in the case where the operator is hospitalized and unable to submit the report, the owner if not the operator must submit the report within 5 days after the accident, M.G.L. Chap. 90, Sec. 26. The accident report form may be obtained at the Pembroke police station or other local police department.

**Must an officer always read the Miranda rights to me when I am stopped?**

**Answer:** No. An officer should read the Miranda rights to you if you are in custody and the officer interrogates you. Custody is defined as a situation where the officer places you under arrest or otherwise prevents you from leaving the scene.

**Why are some motor vehicle violators issued a written warning and other violators are issued a fine for the same violation?**

**Answer:** Some police departments have strict policies governing when an officer shall write a fine for a violation and when a written warning is permissible. Most departments permit their officers to use their discretion. In the case of speeding, many factors are taken into account. The speed at which the vehicle is traveling, width of the street, population density, and the presence of special hazards, i.e. children in the area, play grounds, blind driveways, etc. Speeds greater than 10 m.p.h. over the speed limit on a street usually results in a fine being written.

**How many written warnings can I receive before my license is suspended?**

**Answer:** A violator who receives three (3) written warnings within a twelve month period, beginning on the day of the first violation, will have his/her license suspended for seven (7) days, M.G.L. Chap. 90C, Sect. 2.

**Are police officers required to wear nametags on their uniforms.**

**Answer:** No. It depends on the policy of the police department. Any community which accepts the provision of M.G.L. Chapter 41, Section 98 provides, "no police officer shall be required to wear a name tag on his uniform. In lieu of a nametag, officers are required to wear a badge with an identifying number attached.

**What rights do I have if I am arrested?**

**Answer:** When a person is arrested he/she has a right to know the reason for the arrest, i.e., the charges; the right to use the telephone to contact family, friends or attorney and to arrange for bail; and the right to be brought before a magistrate to be availed to bail.

**If I am stopped for speeding in which the radar was used to clock my speed, do I have the right to inspect the radar and view the speed at which it is alleged that I was traveling?**

**Answer:** No. An officer is not obliged to show you the radar. Traffic stops are inherently dangerous. Police officers generally do not allow operators to stand outside of their cars. It is safer for the driver to remain in their vehicles.

**Do I have the right to request information concerning the calibration and servicing of a radar unit?**

**Answer:** Yes. In Pembroke, all you need do is to come to the police station and we will permit you to inspect our radar records.

**I have a License to Carry Firearms and a FID Card. What are my responsibilities when I move to a different address.**

**Answer:** Within 30 days, you are required to notify the licensing authority who issued the license or FID Card, the licensing authority in the community where you move to and the Commissioner of Public Safety of your address change. Your License to Carry Firearms can be suspended or revoked, depending on the policy of the licensing authority who issued the license. The policy of the Pembroke Police Department is to suspend your license for a period three months for the first offense.

**Can a homeowner perform construction or other heavy work on his/her property on Sundays?**

**Answer:** It depends. A homeowner is allowed to work, i.e., repair work, roofing, construction with heavy equipment, etc., on his/her home or property so long as the work is not being done a contractor. In Pembroke, the homeowner may not start such work before 7:00 a.m. on Saturday and Sunday, and must end by 7:00 p.m. A contractor may be permitted to work on Sunday if approved by the Chief of Police.

**How does an officer calculate the fine for a speeding ticket?**

**Answer:** Any speed over the speed limit within the first 10 M.P.H. is a fifty (50) dollar fine. The violator is assessed an additional \$10.00 for each M.P.H. over ten m.p.h. For example, if the speed limit is 35 M.P.H. and a violator is stopped for traveling 50 m.p.h., the fine would be \$100.00.

**Can I come to the police station and obtain a copy of my criminal record for employment purposes?**

**Answer:** NO. The Criminal Offense Record Information (CORI) statute permits police officers only to use a person's criminal history information for the purposes of establishing a suspect identity, to aid in criminal investigations, and for applicants who seek employment with the police department. To obtain a copy of your criminal history you can come to the police station and ask for a copy of the personal criminal history request form. The form must be mailed or hand carried by the person requesting the information to the Criminal History System Board.

**Can I obtain a copy of my driving record from the police department?**

**Answer:** NO. An individual's driving record can only be obtained from the Registry of Motor vehicles. We are not permitted to use our Teletype terminal for any other purpose except law enforcement. The Teletype cannot be use as a service to the public.

**I want to become a police officer. Is there an age limit requirement?**

**Answer:** NO. As long as you can pass the physical standards and physical agility's tests, your age is not a factor.

**A family member was arrested. How can I prevent his/her name from being published in the local newspapers?**

**Answer:** There is nothing you can do. M.G.L. Chapter 41, Section 98F, the public log law, requires local police departments to keep and maintain a daily log, recording in chronological order, all responses to valid complaints received, crimes reported, the names, addresses of persons arrested and the charges against such persons arrested. The local newspapers covering Pembroke have a policy to publish such information without exception. This is necessary because it would not be fair to publish the names of some and not the names of others.

**EXCEPTION:** Handicapped individuals who are physically or mentally incapacitated to the degree that said person is confined to a wheelchair or is bedridden or requires the use of a device designed to provide said person with mobility, shall be kept in a separate log and shall not be a public record nor shall such entry be disclosed to the public.