

Unit 2: Knowing Your Rights in a Car Stop Teachers' Guide LESSON 6: Role-Playing What Happened

FOR MORE INFORMATION TO HELP YOU ANSWER QUESTIONS THAT MAY COME UP DURING THIS LESSON, REFER TO THE FREQUENTLY ASKED QUESTIONS SHEET "LEGAL INFORMATION ABOUT CAR STOPS" AT THE END OF THIS LESSON.

Time: 3 hours

Content Objectives

- Students listen to and practice engaging in a conversation about a car stop situation in groups of two or three drawing on their personal experiences.

Rights Literacy Objectives

- Students learn more about their rights when interacting with police during a car stop.

Language Objectives

- Student listen, speak, and read vocabulary about car stops.
- Student practice asking questions about their rights in car stops, and use key interrogatives.

Materials Needed:

- Student lesson handout.

Content Objectives

- Students listen to and practice engaging in a conversation about a car stop situation in groups of two or three.

Rights Literacy Objectives

- Students learn more about their rights when interacting with police during a car stop.

Language Objectives

- Students listen and read vocabulary about car stops.
- Students practice asking questions and the use of interrogatives.

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KEY VOCABULARY:

Nouns	Verbs	Adjectives	Interrogatives
Police station	To stop	False	What
Documents	To know	Silent	Where
Country	To live	Scared	How
Driver's license	To have	Fast	How many
Right	To give	Serious	When

Before completing the activities below, the instructor should review the lesson vocabulary from the table above.

Lesson Activities:

PART A) Reading a Scenario

The instructor reads the text with the students.

Read the text below with the instructor. Then, in pairs, practice speaking aloud the following dialogue.

What Happened to Lucía

My name is Lucía. A police officer stopped my husband today. The police asked my husband some questions: The police asked my husband, "What is your name?" My husband said, "My

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name is Francisco García.” The police officer wanted to see my husband’s ID. My husband knows that he should not give the police false documents. He also knows that any information he gives to the police can be used against him, if the police want. My husband said, “I do not want to talk.” The police officer asked my husband, “Do you have the right to be here in this country? Where are you from?” My husband knows the police can ask any question they want but that he does not have to answer them. My husband said, “I have the right to remain silent.” The police took my husband to the police station.

PART B) Dialogue: Stopped by the Police

The instructor asks the students to read the following dialogue in pairs.

Police officer: What is your name?

Husband: My name is Francisco García.

Police officer: Can I see your driver’s license and ID?

Husband: I do not want to talk.

Police officer: Do you have the right to be here in this country? Where are you from?

Husband: I have the right to remain silent.

PART C) Reading Comprehension & Reflection questions

The instructor asks the students to answer the following questions.

1. What is the husband’s name?
2. Does the husband give the police his ID?
3. Is it okay to give the police false documents?
4. Can the police ask the husband any question she or he wants?
5. Where did the police take the husband?

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PART D) Role-Playing

The instructor reviews vocabulary with the students by going over the key vocabulary found in the “what to say if stopped by the police” section. The instructor asks the students to get in small groups and discuss a situation in which someone they know was stopped by the police. Then students, working in the small groups, will improvise one or more of the situations that were presented in their group through a role-play in front of the whole class. Each group can practice the role-play(s) that they will present before having to present it to the entire class.

Get into small groups and discuss a situation in which you or someone you know was stopped by the police. Your group will improvise or role-play your situation in front of the whole class. You can practice beforehand.

END OF LESSON REFLECTIONS: The teacher asks students at the end of each lesson what they learned and how they felt doing these activities. The teacher may want to take notes based on what students share to help in preparing the lesson for the following week. Guiding questions for instructors to pose to students include the following:

- What new ideas/content did you learn?
- What new vocabulary did you learn?
- What new rights did you learn?
- What was difficult? What was easy?
- How did you feel?
- What would you change?
- How would you use this information?
- How does this content connect to human rights?
- What situations can you think of when you may want to assert your rights?

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FAQ: LEGAL INFORMATION ABOUT CAR STOPS

❖ Some tips on what to do if stopped by the police while driving

DO:

- Signal and pull over
- Remain inside the car
- Stay calm and be polite
- Keep your hands on the wheel, and tell the officer if you need to reach into the glove compartment for documents before doing so
- Carry a card with a lawyer's phone number or memorize the number. See information below about calling a lawyer if you are arrested.

DON'T:

- Lie or provide false information
- Obstruct the police or refuse to follow their direct orders to you

❖ When do I have to answer questions from the police or other law enforcement officers if I'm stopped while driving?

Generally, there is no duty to answer a police officer's or other law enforcement officer's questions. Anything you say to a police officer can be used against you.

In most states, including Massachusetts and Rhode Island, a driver must provide his or her name and address. In Rhode Island, a law enforcement officer may also demand a person's name and address any time (including if stopped on the street) where the officer has "reason to suspect" the person is committing, has committed, or will commit a crime. **You do not have to answer any other questions.**

NOTE ON QUESTIONS ABOUT IMMIGRATION STATUS: Noncitizens 18 years and older are required to carry their immigration documents (for example, their green cards or other proof of lawful status). If you have such documents, you should show them to the officer if asked. If you do not have lawful immigration status, you can say you want to remain silent.

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❖ **Should I show my foreign documents if I don't have a U.S. driver's license or other U.S. identity document?**

There is no easy answer to this question. Here are some ways to think about the positive and negative aspects of your options.

Option	Positives	Negatives
If you choose to show your foreign identity documents	Police officer will be able to verify your identity (that you are who you say you are) and check their system to see if there are any outstanding warrants or tickets. If there are no problems, the police officer may choose to just let you go. The police officer can also give you a ticket, or arrest you for driving without a license.	You are providing proof that you are a citizen of another country, so the government now has all the information necessary to try to deport you. In addition, the police officer can give you a ticket or arrest you for driving without a license.
If you choose to not show any documents	You are not providing proof that you are a citizen of another country (though the police officer may infer that if you don't have any documents it is because you do not have legal immigration status). Police officer will not be able to verify your identity. The police officer can also give you a ticket, or arrest you for driving without a license.	Police officer will not be able to verify your identity. The police officer can also give you a ticket, or arrest you for driving without a license.

You should **never** present false documents or documents not belonging to you.

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❖ **When can the police search my car?**

If a police officer asks to look inside your car, you have the right to say no. You do not have to consent to a search of your car. If the police believe your car contains evidence of a crime, however, they can search it even if you say no.

❖ **When can the police impound (take) my car?**

There are some situations in which the police are allowed to impound the car. This means that they take the car, and the owner usually has to pay a fine to get it back. For example, the police can impound the car if the car is or contains evidence of a crime. The police can also take the car when it presents a public safety risk. For example, if the car is pulled over on the side of the highway and the driver can no longer drive it. This may be because the driver was arrested for driving under the influence (drunk driving) or driving without a license.

❖ **Can the police take and search my cell phone?**

The Supreme Court decided in June 2014, in a case called *Riley v. California*, that the police generally must obtain a warrant before searching the contents of a cell phone seized from someone who has been arrested.

❖ **What are my rights as the passenger?**

If you are a passenger in a stopped car, you can ask if you are free to leave. You might also have to provide your name and address in some situations. You do not have to answer any other questions.

❖ **Can I be arrested for driving violations?**

Yes. Driving without a license is a crime in most states, including Massachusetts and Rhode Island. A driver can also be arrested for other criminal driving violations, including “reckless driving” (which can include excessive speeding), driving under the influence of alcohol or a controlled substance, and committing a “hit and run” (leaving the scene of an accident without identifying yourself).

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❖ What happens if I am arrested or detained?

If you are arrested for a crime, you have the right to remain silent and to ask for a lawyer immediately. If you can't pay for a lawyer, you have the right to a free one. Don't say anything or sign any documents without talking to a lawyer first.

Sometimes individuals are sent to immigration detention after having been arrested by the police. In immigration detention, you have the right to remain silent and you do not need to answer any questions about your country of birth or your immigration status. Don't sign any documents without consulting with a lawyer. Unlike in a criminal case, in an immigration case you do not get a free lawyer, but you or your family can hire a lawyer. You will be given an identification number called an "A number." Give this number to your family or your lawyer, as it will help them find you and follow your case. **There is much more information about immigration detention and the deportation process that is not included here.**

❖ Do I have the right to tape (videorecord) the police?

This depends on state law. For example, in Massachusetts, you have the right to tape (videorecord) police conduct: (1) in a public place; (2) openly (as opposed to doing so secretly); and (3) without interfering with the officer's conduct.

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