LESSON 2: A Call to Action

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 discuss the importance of advocacy for those who are undocumented by reading an article and making connections with places and organizations in their communities, which can provide advice and support.

Rights Literacy Objectives
- Students identify rights for undocumented immigrants in a car stop situation.
- Students reflect on the role of diverse immigrant organizations and immigration police (i.e. Immigration and Customs Enforcement (ICE)).

Language Objectives
- Students practice their reading comprehension skills by reading an article.
- Students develop their vocabulary on rights and advocacy.
- Students develop their vocabulary of places in the community.

Materials
- Student lesson handout
- Article: “Salem Woman Gets Reprieve from Deportation”
- Pens/pencils
- Chart paper

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Language Objectives
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KEY VOCABULARY:

<table>
<thead>
<tr>
<th>Nouns</th>
<th>Verbs</th>
<th>Adjectives</th>
<th>Interrogatives</th>
</tr>
</thead>
<tbody>
<tr>
<td>Activism</td>
<td>To ask</td>
<td>Calm</td>
<td>How many?</td>
</tr>
<tr>
<td>Court</td>
<td>To watch</td>
<td>Afraid</td>
<td>What?</td>
</tr>
<tr>
<td>Lawyer</td>
<td>To find</td>
<td>Released</td>
<td>Who?</td>
</tr>
<tr>
<td>ICE</td>
<td>To advocate</td>
<td>(Un)documented</td>
<td>Where?</td>
</tr>
<tr>
<td>Documentation</td>
<td>To remain</td>
<td>Silent</td>
<td>Who?</td>
</tr>
<tr>
<td>Neighborhood</td>
<td>To turn</td>
<td>Straight</td>
<td>How long?</td>
</tr>
<tr>
<td></td>
<td>left/right</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Organization</td>
<td>To go/walk</td>
<td>Close/far away</td>
<td>When?</td>
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Before completing the activities below, the instructor should review the lesson vocabulary from the table above.

Lesson Activities:

Part A) Reading the Article: “Salem Woman Gets Reprieve from Deportation.”

Here, the instructor uses a “jigsaw” activity, in which students are divided into small groups, and each group reads a paragraph from the text. The students are encouraged to take notes of key ideas and words they do not understand while reading the text. Then, each group reports the main ideas from the passage they read.

TEXT:

Supporters of a woman living in Salem who was set to be returned to her native Guatemala — including renowned scholars and activists Noam Chomsky and his daughter, Aviva Chomsky — have expressed relief after federal immigration officials issued a stay of her deportation from the United States.

Mariola Perez, who entered the country illegally while pregnant in 2010 and now has a son, Ernesto, 3, had been ordered by US Immigration and Customs Enforcement on Sept. 17 to depart within 60 days. The order came after Perez’s arrest in Salem during a traffic stop brought her to the attention of ICE authorities.

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Deporting Perez would be wrong because it would “destroy the life of a fragile struggling family, and her son is a US citizen,” Aviva Chomsky said. “She poses no danger or threat to her society or her community. She has developed a lot of community ties.”

Perez said she felt great relief at the ICE decision.

“I’m just so happy that a lot of people are supporting me to stay here. I will be able to accomplish my goals of finishing college and for my son to have a better education,” said Perez, who also is pleased Ernesto will continue such activities as museum visits, music classes, soccer, and swimming.

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On Aug. 25, Perez was arrested by Salem State University Police and then booked by Salem Police for driving without a license after a motor vehicle stop.

Aviva Chomsky said that she was initially under the impression that Perez was stopped for turning right on a yellow light, but that she was told last week by a Salem State University

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Police official that the officer had **pulled her over** after running a random check and finding that the car was registered to someone who did not have a driver's license.

The car was registered to another person not legally in the country, said Chomsky, who added that insurance companies commonly offer coverage to undocumented people that is used to register cars. She said she knows about 1,000 undocumented people, and that 90 percent of them have their cars registered and **insured** but don't have a driver's license.

**Part B) Vocabulary Activity**

The instructor asks the student to identify the meaning of the following words from the text and work independently or in pairs to write a sentence using the words.

Identify the meaning of the following words by writing a new sentence in which the word appears.

1. activist – ___________________________________________________________________________________
2. deportation – ___________________________________________________________________________________
3. to struggle – __________________________________________________________________________________
4. threat – ______________________________________________________________________________________
5. relief– ______________________________________________________________________________________
6. goals– _______________________________________________________________________________________
7. booked– _____________________________________________________________________________________
8. pull over – ____________________________________________________________________________________
9. insured– _____________________________________________________________________________________

**Part C) Reading comprehension questions**

The instructor reviews the questions and the vocabulary words with the students before they work on answering these in pairs. The same group of students who worked on the above activity can stay together to answer the following questions in writing or orally before reporting to the whole class.
Work in pairs to answer the following questions:

1. Who is Mariola Pérez?
2. Why was Mariola stopped by the police? What happened to Mariola with ICE?
3. Who supports Mariola and her son Ernesto?
4. What was ICE’s decision after the community’s advocacy?
5. What are Mariola’s goals?
6. According to the text, why is car insurance coverage a controversial problem?

**Part D) Post-reading activity**

As a whole group and based on the article, the instructor asks the students to reflect on the strengths and challenges in advocating for one’s rights in a car stop situation, especially for undocumented individuals. The instructor takes notes as the students report to the class.

As a whole group and based on the article, reflect on the strengths a person may have and the challenges a person may face in advocating for one’s rights in a car stop situation when undocumented.

<table>
<thead>
<tr>
<th>STRENGTHS</th>
<th>CHALLENGES</th>
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**END OF LESSON REFLECTIONS:** The teacher asks students at the end of each lesson what they learned and how they felt doing these activities. Guiding questions for instructors to

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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.

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<tr>
<th>Option</th>
<th>Positives</th>
<th>Negatives</th>
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<tr>
<td>If you choose to show your foreign identity documents</td>
<td>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.</td>
<td>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.</td>
</tr>
<tr>
<td>If you choose to not show any documents</td>
<td>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.</td>
<td>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.</td>
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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 the police?

This depends on state law. For example, in Massachusetts, you have the right to tape 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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