LESSON 1: What to Do when Stopped by the Police

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: 2 hours

Content Objectives
- Students will read a text and discuss their rights in a car stop situation.

Rights Literacy Objectives
- Students identify their rights in a car stop situation.
- Students reflect on their rights in a car stop situation in connection to other rights.
- Students reflect on immigrant organizations and their role in advocating for immigrant rights.

Language Objectives
- Students practice their listening skills by watching a video.
- Students develop their vocabulary on rights and advocacy.

Materials
- Pens and papers
- Student lesson handout
- Chart paper
- Video: “Elon James White: What To Do If You’re Stopped By Police”

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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>Call for action</td>
<td>To ask</td>
<td>Calm</td>
<td>How many?</td>
</tr>
<tr>
<td>Court</td>
<td>To watch</td>
<td>Frightened</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 left/right</td>
<td>Straight</td>
<td>How long?</td>
</tr>
<tr>
<td>Organization</td>
<td>To go/walk</td>
<td>Close/far away</td>
<td>When?</td>
</tr>
</tbody>
</table>

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

**Lesson Activities:**

**“Know your Rights” Video**

The lesson activities are centered around the viewing of a “Know Your Rights” video. Ask the students to take notes about specific rights mentioned in the video providing advice about how to manage a situation with the police when stopped while driving. Provide chart paper if needed. We provide links to a video that is fairly short and draws on humor. The instructor should review the key vocabulary with the students prior to watching the video content. The instructor should also preview the video before using it in class to decide whether it is appropriate and to be better prepared for questions and discussion. NOTE: THE SUGGESTED VIDEO WAS PRODUCED BY THE AMERICAN CIVIL LIBERTIES UNION, AND THE AUTHORS OF THIS TOOL KIT DO NOT NECESSARILY ENDORSE THE CONTENT OF THE VIDEOS.

PART A) Pre-video activity

The instructor asks the students to answer the pre-video questions in writing individually. Then, discuss the questions listed below together in class before watching the video.

Write your answers to the following questions. Then, discuss these questions as a class before watching the video.

- Have you ever been stopped by the police or do you know anyone who has been stopped? What was the reason for being stopped?
- What are some of the fears you have if stopped by the police?
- Do you think an undocumented person has rights when stopped by the police?

PART B) Video: “Elon James White: What To Do If You’re Stopped By Police” (or other video chosen by instructor)

Ask the students to take notes (preferably in English) about specific rights mentioned in the video providing advice about how to manage a situation with the police when stopped while driving. Provide chart paper if needed.

Take notes about specific rights mentioned in the video providing advice about how to manage a situation with the police when stopped while driving. Try to take notes in English, but you can also use your native language to help you remember important things.

NOTES:

__________________________________________________________________________________________________________
__________________________________________________________________________________________________________
__________________________________________________________________________________________________________
__________________________________________________________________________________________________________
__________________________________________________________________________________________________________

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PART C) Modal verbs

Based on what the students watched on the video, the instructor asks the students to write down three things that they should do in a situation in which a police officer stops them or someone else while driving. The instructor explains the differences between “should” and “must.” The instructor motivates the students to provide examples using modal verbs in general and writes these on the board before completing the exercise. The instructor should review the FAQ sheet at the end of the lesson which contains additional information that can be shared with the students afterwards.

Based on what you learned from the video, write down three things that you should do in a situation in which a police officer stops you while driving:

1) 
2) 
3) 

PART D) Post-video activity

In small groups, the instructor asks the students to share their feelings and reflections about the video. Then, the instructor asks the students to break into small groups and has each group reflect on one of the themes listed below.

In small groups, share your feelings about the video content. After sharing your feelings regarding the video, your instructor will assign you to work and reflect on one of these three themes in your small group:

1. Who is the intended audience of the video?
2. Make a list of rights and advice in a car stops situation.
3. Identify concerns or questions not raised in the video.

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 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 other situations can you think of when you may want to assert your rights?
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.

<table>
<thead>
<tr>
<th>Option</th>
<th>Positives</th>
<th>Negatives</th>
</tr>
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<tbody>
<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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