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Unit 2: Knowing Your Rights in a Car Stop
Teachers' Guide
LESSON 3: Reading Lucía's Routine

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
- Lesson introduces a reading scenario about a situation involving a car stop.
- Students' reading and rights comprehension are assessed.

Rights Literacy Objectives
- Students read an example of someone advocating for the rights of others. This exposes the students to the experience and meaning of rights advocacy.
- Students are exposed to what community organizations can do for them and how to access resources available to them to help them advocate for their rights.

Language Objectives
- Students practice reading comprehension about the topic of rights advocacy.
- Students describe their daily routine.
- Students describe family members.

Materials Needed
- Student lesson handout
- Paper and pens/pencils

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Language Objectives

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- Students describe their daily routine.
- Students describe family members.

KEY VOCABULARY:

Nouns	**Verbs**	**Adjectives**	**Interrogatives**
Detention	To stop	Respectful/ disrespectful	When
Mother, father	To pick up	Sad	Why
Girl, Boy, Children, husband, wife	To support	Busy	What
Work	To drive	Difficult/easy	How
Prison, jail	To have	Scary/scared	Where
cleaner, officer (professions/jobs)	To protect	Hardworking	How long?
downtown	To leave	Delicious	
lunch, dinner, breakfast	To eat	Activist	
morning, weekend, afternoon	To go	Brave	

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

Prior to the lesson, the instructor can prepare and share a list about resources within the local community with the students. This list might include contact information for, for example, City Hall, Legal Services, Translation Services,

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Community Health Care Center, as well as a calendar of community events.

PART A) Lucía's Routine Reading Activity

The instructor reads the text below with the students, asking them to repeat after her or him. The instructor encourages the students to ask questions if there are vocabulary words that the students do not understand. At the end, the instructor asks for volunteers to reread the text.

My name is Lucía. I am a woman from Guatemala. I live in Florida. I have three beautiful children, one boy and two girls. A police officer stopped my husband last month while he was driving. My husband did not have a driver's license, and he gave the police a false ID. My husband is from Guatemala. He is undocumented, that is, he does not have papers that give him legal immigration status in the United States. I am sad because the police stopped him while driving and he is now in detention.

I work as a cleaner in a restaurant downtown to support my children. I have a busy routine. During the week, I get up at 7 in the morning and have breakfast with my children. Then, I drive my children to school and I go to work. I eat lunch at noon with some friends. I leave work at 3 pm. I drive to the school to pick up my children. Then, I cook dinner. On the weekends, I visit my husband in jail. On the weekends, I also work with different organizations to protect immigrant people's rights.

PART B) Discussion and Reading Comprehension

In the reading comprehension session, the instructor goes over each of the questions to make sure that the students understand the meaning. The students can work in pairs for this part of the activity, and should be given at least 10 minutes to answer all the questions prior to discussion.

The instructor should ask students about what it means to be in an organization and how they envision the role of the organization they identify. The instructor writes ideas shared by the students down on chart paper for all students to see.
The instructor should engage with students and ask about how they feel about being

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engaged in the current organization where they take ESL/ESOL classes.

After reading the text, please answer the following questions.

1. Where is Lucía from?
2. Where does Lucía live?
3. What happened to Lucía's husband?
4. Does she have children?
5. What does she do in the mornings?
6. Where does she work?
7. What does she do on the weekends?
8. What are the names of some organizations that advocate for immigrants' rights in <u>your</u> community?

<u>END OF LESSON REFLECTIONS:</u> 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 <u>never</u> 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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