



## Unit 2: Knowing Your Rights in a Car Stop Teachers' Guide

### LESSON 4: Police Car Stops

**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 can communicate to police and advocate if they are present in a car stop situation.

#### **Rights Literacy Objectives**

- Students are introduced to the concept of rights and are given recommendations regarding appropriate behavior in the context of a car stop.
- Students learn about the right to remain silent during a car stop.
- Students discuss reasons why one should never present a fake ID to a police officer.

#### **Language Objectives**

- Students learn vocabulary to describe interactions with the police.
- Students practice speaking about a car stop interaction with police.
- Students talk about rights when interacting with police in a car stop situation.

#### **Materials Needed**

- Student lesson handout
- Pens and paper

#### **Content Objectives**

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### **Language Objectives**

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### **KEY VOCABULARY:**

<b>Nouns</b>	<b>Verbs</b>	<b>Adjectives</b>	<b>Interrogatives</b>
License	To drive	Silent	What?
Silence	To stop	Scary	Where?
Name	To be	Fake	How?
Right	To go	Fair/unfair	When?
Police	To speak	Fast	Why?

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

### **PART A) Pronunciation**

**The instructor can introduce each word below, saying the word and then having the students repeat it. The instructor can ask the students to read the sentence aloud, by asking one student to volunteer to read one sentence and then have the students all say the sentence aloud afterwards. The instructor can ask students to get into pairs then turn to their partners and ask the question using the vocabulary word. Encourage students to answer honestly. Discuss the words, meanings and any points**

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**that came up during the conversation.**

Using target vocabulary, write the following sentences and practice pronouncing them aloud. In pairs, ask the list of questions to each other.

<b>Word</b>	<b>Sentence</b>	<b>Question</b>
Drive	I drive my car to work every day.	Do you drive to work?
Police	The police stopped me once.	Have you spoken to the police before?
Right	By law, each person has some rights.	Do you know you have rights?
Driver's license	I have a driver's license.	Do you have a driver's license?
Silent	I can remain silent.	Do you have to talk to the police?
Name	My first name is Ana.	What is your first name?

### **PART B) Word bank activity**

**The instructor tells the students to choose a word from the table to fill in the blanks of the text. Then, the students practice reading the dialogue in pairs. The instructor then asks for volunteers to read this dialogue in front of the whole class.**

Choose a word from the table to fill in the blanks of the text. Then, practice to read this dialogue in class in pairs.

license      silent      name      right      police      driving

#### **Dialogue:**

**Rosa:** Hello, sister! How was your day?

**Ema:** It was not a good day.

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**Rosa:** What! Why not?

**Ema:** Something scary happened while I was\_\_\_\_\_.

**Rosa:** What happened, did the\_\_\_\_\_stop you?

**Ema:** Yes, and I was very nervous.

**Rosa:** It happened to me once, I was nervous too. When it happened to me, I had to show my\_\_\_\_\_.

**Ema:** Yes. I was afraid because I have a fake ID and I almost showed him this.

**Rosa:** Oh no! Never show a fake ID to a police officer.

**Ema:** I know. I told him my\_\_\_\_\_.

**Rosa:** Afterwards, did you remain\_\_\_\_\_? You can just tell the police officer your name.

**Ema:** Yes, I remember that. I can remain silent. It is my\_\_\_\_\_.

**Rosa:** I am so proud of you, sister! You know I am always here if you need help.

**Ema:** I know. Thank you, sister.

**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
<b>If you choose to show your foreign identity documents</b>	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.
<b>If you choose to not show any documents</b>	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 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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