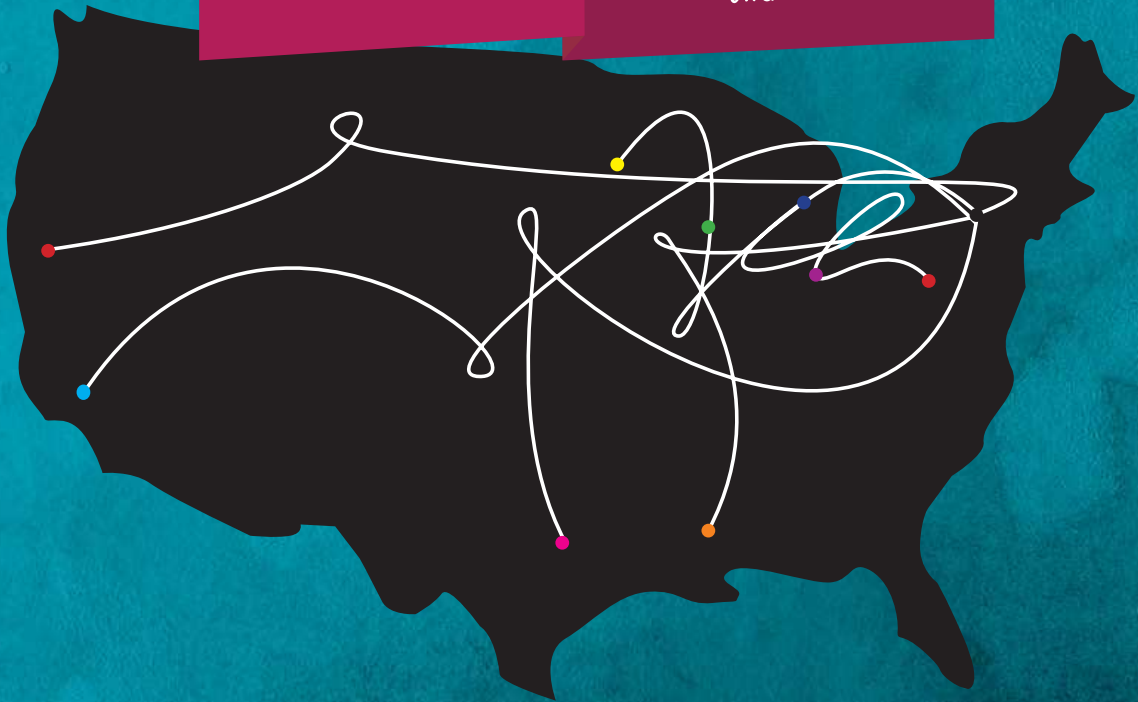


GET YR RIGHTS

CURRICULUM

FOR LGBTQTS YOUTH,
AND LGBTQTS YOUTH-SERVING
ORGANIZATIONS



BREAKOUT!
STREETWISE AND SAFE

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ABOUT THE CREATORS OF THIS CURRICULUM

BREAKOUT! seeks to end the criminalization of lesbian, gay, bisexual, transgender, and questioning (LGBTQ) youth to build a safer and more just New Orleans. We build on the rich cultural tradition of resistance in the South to build the power of LGBTQ youth ages 13-25 and directly impacted by the criminal justice system through youth organizing, healing justice, and leadership development programs.

STREETWISE AND SAFE (SAS) works to build and share leadership, skills, knowledge and community among LGBTQ youth of color who experience criminalization, particularly in the context of the policing of poverty, “quality of life” offenses, and involvement or perceived involvement in survival economies. We conduct Know Your Rights workshops specifically tailored to lesbian, gay, bisexual, transgender, queer, and questioning (LGBTQQ) youth of color where we share critical information about rights in the criminal legal system as well as strategies to increase safety and reduce the harms of interactions with police. SAS works to create opportunities for LGBTQ youth of color to claim a seat at policy discussion tables as full participants, speak out on their own behalf, act collectively to protect and advance their rights, and demand choices that allow them to maximize their safety, self-sufficiency, and self-determination.

ABOUT LGBTQTS YOUTH & DISCRIMINATORY POLICING

In 2013, lesbian, gay, bisexual, transgender, queer/questioning, and two-spirit (LGBTQTS) youth from around the country gathered in Detroit to attend Werk It!, an Allied Media Conference Network Gathering co-organized by FIERCE, an organization which has been engaged in groundbreaking work around the policing of LGBTQTS youth for over a decade in New York City, and Branching Seedz of Resistance, a youth-led project working to build community power to break cycles of violence affecting LGBTQTS young people in Denver, CO. At this gathering, youth shared their organizing work and experiences, as well as their ideas for making change and building queer and trans youth power. For one of the gathering exercises, youth were asked to write things that they wanted to see happen that could change the daily lives of LGBTQTS youth on flip chart papers. Someone wrote: “National Know Your Rights Network.”

This sparked conversations between youth throughout the rest of the conference about what a national “Know Your Rights” network could look like and how it could support local organizations who were doing or wanted to do work around policing of LGBTQTS youth. SAS and BreakOUT! youth who were a part of these conversations took on organizing phone calls, workshops and surveys over the following year. This was all in an effort to seek information from LGBTQTS youth, and organizations that work with LGBTQTS youth about what, specifically, they would want from a national network focused on sharing information aimed at reducing the harms of LGBTQTS youth interactions with law enforcement and building the capacity of LGBTQTS youth to change the context in which these encounters take place.

With all this information, SAS and BreakOUT! set out to create, Get Yr Rights: A National LGBTQTS Youth Know Your Rights Network, with the goal of resourcing and building the capacity of LGBTQTS youth and LGBTQTS youth serving organizations who are doing, or want to begin doing work around policing of LGBTQTS youth. We also wanted to gather together strategies LGBTQTS youth and organizations working with LGBTQ youth had used to wage - and win- campaigns to change conditions for LGBTQTS youth experiencing discriminatory and abusive policing in their areas. Currently, GYR has over 30 diverse network members who work with LGBTQTS youth in a variety of capacities, including grassroots organizing, policy advocacy, service provision, leadership development and more.

This information is gathered in our **Get Yr Rights Campaign Toolkit**, available at www.getyrrights.org

AS OF 2015, GETYRRIGHTS NETWORK MEMBERS INCLUDE:

AUDRE LORDE PROJECT (NEW YORK, NY),
BLACK AND PINK (BOSTON, MA AND NATIONAL),
BRANCHING SEEDZ OF RESISTANCE (DENVER, CO),
CAAAY (NEW YORK, NY)
COMMUNITY UNITED AGAINST VIOLENCE (SAN FRANCISCO, CA),
DC TRANS COALITION (WASHINGTON, D.C.),
EL/LA (SAN FRANCISCO, CA),
FIERCE (NEW YORK, NY),
FREEDOM CENTER FOR SOCIAL JUSTICE (CHARLOTTE, NC),
FREEDOM INC. (MADISON, WI),
GENDER JUSTICE L.A. (LOS ANGELES, CA),
GENDER JUSTICE LEAGUE (SEATTLE, WA),
GET H.Y.P.E. / ATTIC YOUTH CENTER (PHILADELPHIA, PA),
GLOBAL ACTION PROJECT (NEW YORK, NY),
GSA NETWORK,
JASMYN (JACKSONVILLE, FL),
LAMBDA LEGAL (NEW YORK, NY AND NATIONAL),
LYRIC (SAN FRANCISCO, CA),
MAKE THE ROAD NEW YORK (NEW YORK, NY),
MISSOURI GSA NETWORK (ST. LOUIS, MO),
NATIVE YOUTH SEXUAL HEALTH NETWORK (TURTLE ISLAND),
NORTH CAROLINA HARM REDUCTION COALITION (DURHAM, NC),
OUT NOW (SPRINGFIELD, MA),
PRAX(US) (DENVER, CO),
PROVIDENCE YOUTH STUDENT MOVEMENT/ PRYSM (PROVIDENCE, RI),
RACIAL JUSTICE ACTION CENTER (ATLANTA, GA),
SMYL (WASHINGTON, D.C.),
SOUTHERNERS ON NEW GROUND (ATLANTA, GA AND SOUTHERN REGION),
SPARK REPRODUCTIVE JUSTICE NOW (ATLANTA, GA),
SRLP – SYLVIA RIVERA LAW PROJECT (NEW YORK, NY),
STONEWALL YOUTH (OLYMPIA, WA),
TRANS YOUTH SUPPORT NETWORK (MINNEAPOLIS, MN), **CLOSED**
YOUNG WOMEN UNITED (ALBUQUERQUE, NM),
YOUTH ORGANIZING INSTITUTE / NC HEAT (DURHAM, NC)

GetYrRights Network Partners include: the National Coalition of Anti-Violence Programs, Empire Justice Center, Forward Together, Brooklyn Community Pride, and the HIV Prevention Justice Alliance.

HOW TO USE THE GETYR RIGHTS CURRICULUM

We created this curriculum out of a need for more - and more LGBTQTS specific - **Know Your Rights trainings for youth and youth-serving organizations** around the country. We have compiled lots of information and drawn upon several different Know Your Rights trainings for LGBTQTS youth from around the country.

We hope that people will download this curriculum and use it as it is - or modify it to make it your own and speak directly to the young people you are training. This curriculum is meant to be very interactive, but since there's lots of information in it, we broke it up with "Pop Quizzes" throughout. Use these to keep your audience engaged and interested. Consider giving small prizes to the participants who answer the questions correctly or have participants compete throughout the entire training to see who gets the most answers correct!

To run through the entire curriculum, you will need approximately 4 hours, maybe more, depending on how long your games are and how many breaks you take. But you can also do the first few sections in one (very tightly packed!) hour if need be.



Pay particular attention to the "**Facilitator's Notes**" throughout the curriculum for tips and special notes for the trainers.

Please let us know if you have suggestions on how to make this curriculum better. And as always, please submit your own curriculum and Know Your Rights tools to info@youthbreakout.org or info@streetwiseandsafe.org for sharing on the Get Yr Rights website, www.getyrrights.org

Taking pictures while conducting this training in your community? **Ask for permission first, and then use hashtag #GetYrRights!!!**

BEFORE THE TRAINING

We recommend reading the entire curriculum through at least twice before doing the training yourself. You might even find some things you need to research before conducting the training in your area. We recommend knowing the answers to these basic questions before starting, which are different depending on where you live:

- ▶ **Does your local police department have a policy about how police officers should interact with the LGBTQTS community?** Most are uploaded at www.getyrrights.org. Let us know if we are missing any at info@streetwiseandsafe.org or info@youthbreakout.org

- ▶ **Do you have to show your I.D. to the police where you live?**
You can call your local ACLU chapter to see!

- ▶ **Do you have to show proof of legal immigration papers to police in your area?**
As of April 2015, only the state of Arizona allows police officers to request immigration documents.

- ▶ **For trainings with students, do your local schools have police officers in them, an agreement (or “Memorandum of Understanding,” also called an “MOU”) with the local police department that allows them to be on or come on school property, or other special policies for interacting with youth?** Contact your local education justice organization, a national advocacy organization (like GSA Network, Alliance for Educational Justice, Advancement Project, or Dignity in Schools), your local juvenile public defenders, or your local school districts to find out.

- ▶ **Is there a curfew for people under 18 in your area?**
Contact your city government or local juvenile public defenders if you don’t know.

- ▶ **How can someone make a complaint against the police in your area? Is there an independent agency you can go to or do you have to report to the police internal affairs division?** Contact local organizers, police accountability groups, or the Inspector General’s Office in your area if you don’t know!

How big is your audience? How much time you will have?

If you have a small audience and a lot of time, you will be able to have lots of discussion, interaction, and also time for questions and answers. If you have a larger group and not a lot of time, you might have to stick with the basics.

Just the Basics Training

Here's a sample agenda for a 1 ½ hour long training

| | | |
|------|-----------------------------------|----------|
| I. | Werk The Runway If... | (10 min) |
| II. | Rights vs. Reality | (5 min) |
| III. | “Am I free to go?” | (15 min) |
| IV. | “Am I under arrest?” | (15 min) |
| V. | “I do not consent to this search” | (15 min) |
| VI. | Hassle Line | (15 min) |
| VII. | Q & A | (15 min) |

Street Smart Training

Here's a sample agenda for a 3 hour long training (don't forget to schedule breaks though!)

| | | |
|-------|-----------------------------------|----------|
| I. | Werk The Runway If... | (10 min) |
| II. | Rights vs. Reality | (5 min) |
| III. | “Am I free to go?” | (15 min) |
| IV. | Reasonable Suspicion | (10 min) |
| V. | “Am I under arrest?” | (15 min) |
| VI. | “I do not consent to this search” | (15 min) |
| VII. | Hassle Line | (15 min) |
| VIII. | Warrants | (20 min) |
| IX. | Jeopardy | (30 min) |
| X. | Q&A | (10 min) |

You can also do a Street Smart Training in two parts – the first half in one session and the second in another!

Audience age, level, and experiences.

If you have a younger group of in-school youth, you might want to focus on curfew issues or police in schools. Or, if you have a group of young people who have experienced a lot of policing, violence, and trauma by the police, you may want to be mindful of that as you start your training and build in plenty of breaks. Bring some music along for your breaks to help raise the energy level, too!

Your position as a trainer as it relates to the people in the room.

It is very important to remember that your audience usually holds a lot of knowledge and expertise on what keeps LGBTQTS youth safe from policing. Make time for participants to share their own strategies and build with one another- which might even include pushing back on you as the trainer! Be prepared to respond to things like, *“Police will do whatever they want anyway. It doesn’t matter if I know my rights or not!”*

Other tips:

- ▶ Make it interactive! Move around as you are training. Most audiences learn better from presenters that move around the room and interact with the audience as they are presenting. Standing behind a podium delivering a monotone lecture is not recommended.
- ▶ Incorporate healing (or “centering”) exercises and plenty of breaks throughout the training if you need to! Some examples of exercises that might be good if your audience is anxious or triggered could be simple facilitated breathing techniques (like take a deep breath in, hold it, then release slowly) to help calm participants and bring them back into the moment, visioning exercises where you imagine a world without police violence, or dance routines to shake the negative energy out!
- ▶ As much as you may want to, do not argue with participants. Simply state your position, acknowledge theirs, and agree to disagree. You can also invite them to speak with you in private after the training to discuss the disagreement.
- ▶ Never allow an audience member to disrespect you by calling you by a different name, misgendering, or speaking to you in a disrespectful manner. This can be combatted by asking the audience to set agreements in the room, and by asking the person in question to refrain from the behavior. Do not be afraid to dismiss hecklers from your training. It is your duty to keep yourself and everyone else safe in your training.
- ▶ Admit to things you don’t know or aren’t sure of- tell people you’ll find out the answer later and then follow-up with them afterward! It’s better to NOT give people information that might be wrong and could hurt them later!



Materials Checklist (for everything in this curriculum)

- Agenda
- Butcher Paper (*or computer with media projector if available*)
- Tape
- Markers
- Sign-In Sheet (*have participants put their contact information down in case you need to follow-up with them later with an answer to their question or call them for the next rally!*)
- Printed materials from the end of this curriculum
- A bag with a few condoms in it
- "Jeopardy game pieces" - check the back of the curriculum & make copies!

Optional Materials

- Police hat, badge, or other role-playing props for scenarios
- Something to play music (*a cellphone or computer will work*)
- Small prizes or candy

OTHER THINGS TO BRING (info about your organization, some Know Your Rights materials from www.getyrrights.org, petitions, etc.!)

Establishing Agreements

Community Agreements can be very important to your training and can help make sure everyone respects one another and make your audience more comfortable sharing their experiences. They can also help to provide a good structure for your audience and establish a community norm for everyone throughout the training

Some examples of community agreements great for a training like this are:

One Div@, One Mic

This means that only one person should be talking at a time, allowing more opportunity for everyone to be included in the conversation and to understand the training. This can also cut back on participants interrupting the facilitator and one another throughout the training.

ELMO (Enough Let's Move On)

Things can tend to get off subject when talking about a topic like this, especially if you have a group of young people hungry for more information and fellowship together, so E.L.M.O. helps to keep the conversation moving in the right direction.

Throw No Shade (Don't Yuck My Yum, No Booking, or R-E-S-P-E-C-T)

All of these are agreements not to purposely do or say things to make others uncomfortable or to disrespect the other individuals in the room, whether through speech such as name-calling or through other acts of disrespect.

This is a Place of Solidarity

This can be helpful when discussing issues that contribute to heavy policing, including whether we are HIV positive, engage in sex work, how we dress, etc. It can be easy for groups of people to turn the focus inward on one another, rather than outward toward the real issues - like the policing of our bodies and our lives. For example, if someone says, "You shouldn't dress like that because you're just asking to be stopped by the police," the facilitator can redirect the conversation, guiding participants back to the Group Agreements.

Move Up, Move Back (or Move Up, Move Up)

This can be good to encourage participants to participate in the training. You can tell participants that if they find themselves not engaging very much with the training to challenge themselves to speak up. If they find themselves talking a lot, they can try moving back to make room for others and moving up their listening!

Oops! Ouch! Snap!

This means that if someone says something they don't mean or want to clarify because they think they might have offended someone, they can simply say "Oops!" If someone says something that someone else finds offensive, rather than going off at them, they can simply say "Ouch!" and allow the person time to further explain where they were coming from, apologize, correct themselves, or set a time to talk further after the meeting. If someone likes something that someone else says, they can simply snap rather than audibly co-signing. This helps the facilitator keep the training going smoothly and on-time.

Other ideas could include **Be Aware of Time, Use the Whoah!** (this means if the facilitator says something that a participant doesn't understand, they can simply say, "Whoah!" and have you back up and explain further), or anything else participants come up with. Another one might be **W.A.I.T.**, which stands for "Why am I talking?" This can help participants not take up too much space or go on long tangents when you only have a limited amount of time!

You might also include one like **Take Care of Yourself** if you have participants with experiences with police that could be triggering or bring up past trauma for them. If this is the case, encourage participants to take breaks as needed and take care of their emotional or mental health needs throughout the training.

Your agreements will be different every time, it all depends on your audience. Some of your agreements will be more personal and unique to people's experiences, which is great and allows for a more comfortable and productive environment for your training. Always remember to ask participants if there are any agreements they would like to add to make a more comfortable space for everyone!

Once you've set the tone for your training, it's time to begin!

OTHER COMMUNITY AGREEMENTS

Honor confidentiality

ICEBREAKER

I. WERK THE RUNWAY IF... (Icebreaker)

Materials for this section:

- Something to play music (a cellphone or computer will work)
- Runway music
- A set of questions for the facilitator

Have youth make two lines of people facing one another, the area in between them is “the runway.” Explain that you will ask them a question and people should “Werk the runway” if that statement applies to them. They can walk the runway, dance the runway, roll the runway, or you might also have an alternative option for people not comfortable or able to werk the runway, like standing in place and snapping. This will give you a better idea of what areas to concentrate your training on, based on your participants’ experiences. Play runway music to help get participants in the mood if you want!

Ask the following questions. Add your own if you want. Start with simple questions to warm up, then move into more serious questions, and end on a positive, fun note.

Werk the runway if...

- ▶ You are wearing purple.
- ▶ You have glasses.
- ▶ You are fierce and unapologetic.
- ▶ You have been stopped by a police officer.
- ▶ You have been searched by a police officer.
- ▶ You have seen cops use condoms as evidence of prostitution.
- ▶ You have felt pressured to tell an officer something.
- ▶ You believe in the power of LGBTQ youth!



Facilitator’s Note

Some of your participants may have done this activity before as “Step in the circle if...” This exercise will not only help break the ice, it will give you a better idea of who is in the room.



OTHER FAVORITE ICEBREAKERS

Alternative Exercise:

If you have a group of youth who have been through a similar training before, you could also use this time to ask questions about what they know (or what they think they know) about their rights.

EXAMPLE

Werk the runway if...

- ▶ Officers are not allowed to search people of the “opposite” sex. *(NOTE: This is not true. Officers can do a “pat down” or “frisk” of anyone, regardless of gender, to determine their safety.)*
- ▶ You only have to be read your Miranda rights if you are under arrest and being interrogated. *(NOTE: This is not true. You only have to be read your Miranda rights if you are about to be interrogated.)*

II. RIGHTS VS. REALITY (Introduction)

Materials for this section:

- Butcher paper (optional)
- Markers (optional)
- Tape (optional)



We know that what is supposed to happen during police interactions isn't always what actually happens. That's why we learn our rights, but also acknowledge the realities of policing – and try to think of ways to change those realities.

For instance, it is important to know how police are trained to better understand them. Police are trained to look for things (or people) that are “suspicious,” “out of the ordinary,” or “not normal.”

Why do you think this might have an impact on LGBTQTS youth?

Wait for participants to answer.



Often, LGBTQTS youth are seen as suspicious or not normal, simply because of who they are, how they dress, or who they're with, especially transgender or gender non-conforming youth of color.

Proceed with caution! Police can be easily startled or alarmed and respond as if they are under attack.

Don't make sudden movements, don't act aggressively. Use a calm, assertive, but polite tone, even if you are completely in the right – the most important thing is to emerge safely from the interaction, and to keep as much of your power as possible by not giving them anything they can try to use to say they were justified in discriminating against you or using force.

Have you heard of other general tips for maintaining your safety when stopped by police?

An example might be to keep your hands where officers can see them or to not “talk back” to an officer. You can record these on butcher paper if you want.



It is important to acknowledge our rights vs. the reality - or the difference between what should happen during our interactions with law enforcement and what actually happens on the street.

Why might it be important to know what our rights are, even if the police violate them?

Talk about the difference between rights and realities and why it's important to know your rights anyway



The point is to limit the interaction with police to be as short and respectful as possible and to maintain our safety with police. Sometimes, there are things we can say that can get us out of a police interaction. Also, if we know our rights and assert them, they can help us later in court!

Mention the importance of preserving evidence for public defenders, lawyers, and defense investigators.



It is always important to remember names, badge numbers, exact questions asked, exact location and time of the encounter, lighting, number of officers involved, and specifics about any physical interaction (violence, searches or seizures) that may occur. These things are very helpful in assisting your lawyer to defend you.



The goal of this training is to learn strategies for limiting and reducing harms of interactions with police officers as much as possible. The longer the interaction, the more likely you are to be arrested.

III. “AM I FREE TO GO?”

Materials for this section:

- Butcher paper
- Markers
- Tape
- “Am I Free To Go?” Image (see back of curriculum)
- Police Car/ Uniform Diagram (see back of curriculum)



Since the majority of stops of LGBTQTS youth of color are “street stops,” we’re going to focus on that first. There are some basic tips for trying to stay as safe as possible with police. We already talked about some of these. For example, if you are stopped by the police, keep your hands where officers can see them, try to remain calm and confident, and always tell the officer what you’re going to do before you do it. *(For example, if you would like to get your ID or an insurance card, say “I’m going to reach into my back pocket/ glove compartment/ etc. and get it for you. Is that ok?”)*

But you can also make a mental note of the officer’s badge number, name, car number, or any other identifying characteristics. Also make a note of where you are, what time it is, and any people nearby.



Facilitator’s Note:

You might share the police car/ uniform diagram image here and explain that this is just one example of a police uniform, but that all uniforms have identifying characteristics on them.



Since it’s easy to get very anxious or rattled and forget everything we learned, also take 3 deep breaths. Think about what you were doing before they stopped you. Look for cameras that are recording interaction. (i.e. body cams or street/ crime cams or businesses or dash cams)

Once the officer approaches, say: Am I Free To Go? or Am I Being Detained? First, you want to figure out what is happening. There are a few “magical” questions that everyone should know. One of the very first questions you should ask police if you are stopped is, “Am I free to go?”

Write “Am I Free to Go?” on butcher paper and share the “Am I Free To Go?” image as an easy way to remember to use these 5 words during police interactions. Or, you may draw an outline of your hand, and on each fingertip write one word: Am (thumb) I (index finger) Free (middle finger) to (ring finger) go? (pinky finger).



Police officers don't have to tell you if you are free to go or not. However, if a police officer does answer you and says that you are not free to go, that means you are being detained. You can only be detained if a police officer has reasonable suspicion that you are committing a crime, and only for as long as it takes to do a simple investigation to confirm or deny that suspicion or write a ticket.

If you ask if you're free to go and the officer doesn't answer you, you are **legally free to leave**. However - only you can know if it is safe to leave or not. Trust your instincts. **Never turn your back and always move slowly. Never (ever) run from the police.**

NOTES

IV. REASONABLE SUSPICION or PROBABLE CAUSE?

Materials for this section:

- Butcher paper (optional)
- Markers (optional)
- Tape (optional)



How many people know the difference between Reasonable Suspicion and Probable Cause?

Wait for participants to answer

Police need “Reasonable Suspicion” to stop or “detain” you. This means that an officer has to have a good and “objective” reason to think that you might be about to commit a crime or that you have just committed a crime – in other words, it has to be based on some facts, not just a profile or a “hunch.” Reasonable Suspicion is only enough for an officer to stop and question you, not arrest you.

Police need “Probable Cause” to arrest you. This means that an officer has to have actual evidence that you have committed a crime.

Participants may start to ask questions here, such as whether or not they are required to show ID or have to talk to the police at all. Break here to go over ID’s and talking to the police. It can be helpful to turn these questions back around to the audience to keep them thinking and engaged.

People may also begin to comment here that asking these questions just further agitates the officer. Agree that this can happen – that this is a reality that often happens when we try to exercise our rights – and remind folks that they should trust their instincts, and let them know that there will be time for them to share strategies for de-escalating situations later.

POP QUIZ

Q: Do you have to show your ID to an officer?

A: Some places you have to show your ID and other places you don't. Some places you don't have to show your ID necessarily, but you do have to be able to prove who you are. In these states, you can be taken into custody until an officer can run your fingerprints to determine who you are. Call the ACLU to see if you have to show your ID in your state. One thing that is true in all states is you always have to have a valid driver's license if you are driving a car. People often find it's easier to just show their ID to keep the encounter short.

Q: Do you have to give the police your number?

A: You do not have to talk to the police if you don't want to – what should you say? (Answer: Am I free to go?). The more you say, the more you run the risk of incriminating yourself and getting arrested! And an officer should not be asking you for your phone number or trying to date you!

Q: Do you have to talk to the police at all?

A: You do not have to talk to the police if you don't want to – what should you say? (Answer: Am I free to go?). The more you say, the more you run the risk of criminalizing yourself and getting arrested!

Q: Do you have to show your immigration papers”?

A: Police are not allowed to ask you what country you are from or ask you for your “papers” or immigration documents (except in the state of Arizona as of 2015). Call the **National Immigration Law Center** to check the laws in your state.

Q: Is having a condom enough for reasonable suspicion or probable cause?

A: It shouldn't be – having a condom isn't evidence of any crime, it's just evidence of wanting to be safe. *There is no magic number of condoms that you are or are not allowed to carry. You are legally allowed to carry however many condoms on you that you want.*

But in some places police will use the fact that you have a condom on you, or that you are in an area “known for prostitution,” or that you are outside at night, to try to say that there is reasonable suspicion or probable cause to believe that you are engaged in prostitution or lewd conduct. Talk to your lawyer about what other evidence the police have – if they don't have anything else on you, your case should be thrown out! Lots of people are trying to change the law so that condoms can't be used as evidence of prostitution – check out www.getyrrights.org for more information!

V. “AM I UNDER ARREST?”

Materials for this section:

- Butcher paper (optional)
- Markers (optional)
- Tape (optional)



If you are not being detained, then you are free to go. If you are being detained, you should ask if you are under arrest. Either way, **STOP TALKING**. This is your 5th Amendment Right in the Constitution. Once you are under arrest, you cannot “talk your way out of it.” It’s easier to talk your way into trouble than it is to talk your way out. Remember, police can use anything you say against you later.



Facilitator’s Note:

Participants may begin to ask about Miranda rights (“You have the right to remain silent. Anything you say or do can and will be used against you. You have the right to an attorney. If you cannot afford one...”) and think that- because of popular television shows like Law & Order- that they have to be read their rights at arrest.



POP QUIZ

Q: Do police have to read you your rights when they arrest you?

A: No. Police do NOT have to read you your rights unless you are under arrest and being questioned or interrogated about a crime. Shows like Law & Order make us think that police have to read us these rights when they arrest us but they don’t. Don’t believe everything you see on TV!

If you are not under arrest and you are not being detained, remember- you are free to go. Staying any longer will just prolong the interaction with the police and make you more likely to be arrested. However, never turn your back on an officer and use your instincts to know how to safely leave the interaction.



Facilitator’s Note

Tell participants you’ll be talking more about arrests in a minute.



Here are some options of things you must say when you want to invoke your right to remain silent:

I’d like to remain silent.

I’d like to speak with an attorney/ a lawyer.

If you don’t say these things, a court may later find that your statements can be used against you.

AND, if you say this, you must **STOP TALKING** afterward, no matter how awkward it gets or what tricks the cops try to use to get you to talk! Sometimes they’ll just say things to each other in the hopes that you will react and say something – don’t fall for it! Once you start talking, you’ve just given up your right again!

VI. “I DO NOT CONSENT TO THIS SEARCH”

Materials for this section:

- Butcher paper (optional)
- Markers (optional)
- Tape (optional)
- A bag

FRISKS & PAT DOWNS

The police can pat down the outside of your clothing for weapons during a stop if they have a good reason – “reasonable suspicion” - to believe you are armed and they are in danger.

A frisk is a very limited pat down of the outside of your clothing. They are only supposed to be looking for weapons, not for drugs or something else they can use to arrest you. This is supposed to only be to protect the officer’s safety.



Q: Can the police legally lie to you?

A: Yes, the police can legally lie to you. But you cannot lie to the police. You could be charged with “falsifying information” or something similar.



Facilitator’s Note:

Tell participants you’ll be talking more about arrests in a minute.



Unless police have:

1. “Reasonable Suspicion” that you are armed and feel something that could be a weapon during a pat down of your outer clothing

– or –

2. “Probable Cause” to believe that you have committed a crime.

They are NOT allowed to:

- Go into your pockets or ask you to empty your pockets;
- Ask you to pull out or shake out your bra;
- Feel the inside of your waistband or ask you to pull it out.
- Pull down your pants or tell you to pull them down.
- Lift up your shirt or tell you to lift it up.
- Go into your purse or bag or ask you to open it.
- Remove your shoes or tell you to take them off.
- Flip off your hat or your hair or tell you to take it off.



This is your 4th Amendment Right in the Constitution. Police often ask us to do these things even when they don't have a legal basis to do so. If we let them search us anyway, the assumption is that we have given "consent" to an otherwise unlawful search. If we don't let them search us, it can quickly escalate a situation.

If we just stay silent, it's considered "consent." **This is the only time silence is really considered consent.**

Therefore it is generally best to say clearly and firmly "**I don't consent to this search,**" and if the officer insists, just let them do it but say clearly, "**I don't consent to this search.**"



Facilitator's Note: Make sure participants know what the word "consent" means. This will help them remember the phrase later if they are stopped.



What if an officer wants to search your stuff or ask you what's in your bag?



Facilitator's Note: Allow participants time to answer.



You should tell the officer, "I do not consent to this search."

Say it nice and clear, so witnesses can hear it. Say it twice. Be polite.

POP QUIZ

Q: Why should you say "I do not consent to this search"?

- A:**
- So that the cop knows that you know your rights.
 - So that you don't appear to be disrespectful.
 - So if they didn't have a good reason to frisk or search you, you have a better chance of getting the evidence kicked out of court later.
 - Because if you don't say it out loud, legally, you've consented to the search!



While it probably won't stop the search from happening, it can stop anything the officer finds from being used against you in a criminal case if they didn't have a good reason to conduct or go beyond a frisk.

If the officer wants to search your bag and you say, "I do not consent to a search," while handing your bag to them, it could be seen as consent. Therefore, you should allow them to simply take the bag from you. Don't resist, but don't hand it over either.

 **Facilitator's Note:**

Demonstrate allowing an officer take your bag for a search with a participant. Ask a participant to stand up and pretend they are a cop and ask the facilitator to search their bag. Facilitator should say, "I don't consent to a search" and should not hand the bag over. The participant playing the officer may physically remove the bag from the facilitator, but the facilitator should just calmly say again, "I don't consent to a search," but should not resist the officer.



 **POP QUIZ**

Q: What's the difference between a "pat down" or a "frisk" and a "search"?

A: A pat down is just to protect officer safety. A frisk is the same thing as a pat down. A search is going into your pockets, bag, etc.

 **Facilitator's Note:**

Ask a volunteer for permission to demonstrate a proper "pat down" on them- make sure they know you will be touching them and that they are comfortable with this. The facilitator should run the back of their palm or "pat" down each arm of the volunteer participant, gently pat the area where their pockets are, and run the back of their palm up and down their pants legs, avoiding an overly invasive pat of the crotch area.



Notice how I performed a "pat down" or "frisk." Did I go into their pockets? Did I lift their bra? Did I touch their crotch area?

If during this pat down, an officer feels something in your clothing they reasonably believe is a weapon, they are permitted to reach into your clothing to pull it out. If an officer has reason to believe, based on a "sudden" movement toward a pocket or under a piece of clothing, that a person is armed, they may immediately reach into the area in question without first conducting a "pat down."

However, they should not be going into your pockets, lifting hair or weaves, going into bras, or doing any other kind of invasive search at this time.

When frisking a person with breasts, the officer is supposed to run the side of the hand down the middle of the chest vertically between breasts, and then turn the palm downward and run the side of a hand across the top of the stomach underneath the breasts with the palm facing down. No additional touching of breasts should take place.

POP QUIZ

Q: Is a male officer allowed to “pat down” a cisgender woman? A transgender woman?

A: Yes. Since it’s not supposed to be invasive at all and is to protect the officer’s immediate safety, anyone can do a pat down. (However, if you feel it is safe to do so, you can try to request a pat down by an officer of the same gender, but it is only a courtesy if the male officer calls for a female officer to frisk you.)

If a search becomes more intrusive than a “frisk” – for example, if you are asked to move or remove clothing, or the officer starts to go inside your pockets, then you have the right to be searched by an officer of the same gender.

Check your local police department policies (which you can request through public record or check www.getyrrights.org to see if your city is on the map) to see if there are any policies about searches of transgender people.



It is never OK for an officer to use a “frisk” to touch you inappropriately or to determine your gender. You should remember the name and badge number or any identifying information for any officer who you feel has touched you inappropriately during a search.

SEARCH & SEIZURE



What if you ask “Am I under arrest?” and the officer says “Yes!!!” What should I do? Can the officer search me then?

Allow participants a chance to answer with ideas about what you should (or should not) do. Also remind participants that they should **STOP TALKING** if they are under arrest.



Once someone is arrested, or the police have enough information to arrest them, the police can go into their pockets, open any containers found on them, and search their purse or bag.

The police can also search the area immediately around the person. This generally includes the entire room in which the person was arrested or the interior of the car they were in.



This includes containers in the car and the glove compartment, but not the trunk or engine compartment. To search the trunk or engine compartment the police need “probable cause” to believe that there are weapons or contraband there.

Generally, you are subjected to a thorough search, including emptying your pockets, pulling out your waistband, and shaking out your bra, once you are taken to the precinct, station, booking, or holding cell after arrest.

A strip search is the removal or rearrangement of clothing which results in any exposure or observations of a person’s body where that person has a reasonable expectation of privacy.

POP QUIZ

Q: When can an officer legally strip search you?

A: You should never be strip searched (told to drop your pants, lift your shirt, etc.) on the street unless the officer has a reason to believe you are hiding a weapon and they are in immediate danger.

Once you are in police custody (at a precinct or central booking), a strip search cannot be performed unless an officer has “probable cause” to believe that person is concealing a weapon, evidence or contraband on their body. Searching a person’s bra is generally covered by the strip search standard.

Strip searches must be conducted by an officer of the same gender.

Check your local police department policies (which you can request through public records or check www.getyrrights.org to see if your city is on the map) to see if there are any policies about searches of transgender people.

It is **NEVER** OK for an officer to strip search you to humiliate you or to determine your gender. If this happens to you, your constitutional rights have been violated – contact a civil rights lawyer! If they don’t know what to do, tell them to reach out to us at info@streetwiseandsafe.org or info@youthbreakout.org

A special note about schools for the facilitator:

Schools can use metal detectors (scanners) to stop students from bringing dangerous items into school. If you set off the metal detector, a school safety officer (SSO), school resource officer (SRO), or police officer may scan you with a hand-held metal detector or wand or search you.

Since each school district is so different, you’ll need to check with your local schools to see more about what is and isn’t allowed.



VII. GAME: The Hassle Line (adapted from People’s Justice)

Materials for this section:

- Butcher paper (optional)
- Markers (optional)
- Tape (optional)
- Cop hat or badge (optional)
- A bag



Now we’re going to play a game called the Hassle Line to practice what we’ve learned.



Facilitator’s Note

This section should be done with everyone in the room, but if you are short on time, you can also just take 2 volunteers from the audience to demonstrate while others watch. You should warn volunteers that the role play could be a little intense or triggering. Also instruct participants that you want the role play to be as realistic as possible, but that they should not touch or grab other participants without their consent. Use props like cop hats or badges to keep it serious, but light.



“Get into two lines facing each other” Those of you on one side will play the cop and those of you on the other will play a community member.

Tell the community member(s): You are being stopped and frisked late at night on a busy corner. A cop comes up to you and tries to get information out of you – “where are you coming from, what are you doing, why are you here, etc.” What do you say?

Pull “police officer” group aside. Tell the “police officers” to approach the community member and try to get information out of them that could lead to an arrest. Hand them pieces of paper with these suggested questions on them:

Cop Questions:

- “Where are you going?”
- “What’s your name?”
- “Let me see your ID!”
- “What are YOU doing in a neighborhood like THIS?”
- “You know this is a known prostitution area...”
- “Do you have any drugs on you?”
- “Where are you coming from?”
- “Do you live here?”
- “Can I get your number, baby?”
- “Are you a boy or a girl?”
- “Do your parents know you’re out here?”

Run the role play and see what happens. Pause for a moment to give additional instructions.



How did the community members do?



Facilitator's Note

Wait for answers. Draw out what was successful in limiting the interaction and what made it go longer. How did folks respond to questions about their gender? Phone number? Why they were where they were?



There are a few key points I want to remind you all of:

- The first thing you should do is ask, “Am I free to go?”
- If the cop says no, you are being detained.
- Police are easily startled; don’t make sudden movements, don’t act aggressively. Use a calm, assertive, but polite tone.

Now, switch roles!

Remind participants that the point of this is to practice asserting your rights, even when it's awkward or uncomfortable. For example, you might have to say over and over again, “Am I free to go? Am I free to go? Am I free to go?” and feel silly doing it. To get in the habit of it, try the exercise again.
Debrief the role play.



- Did any cops get information? Enough to arrest anyone?
- Did the youth remember to take 3 deep breaths before answering the police officer?
- Did they get any badge numbers or descriptions of the officer?
- Did they look for cameras that might be recording interaction?
- Did they notice what time it was?

What if the cop had tried to search your bag?

- If a cop tries to search you or your possessions, say out loud, “I do not consent to this search.” Don’t physically resist or pull your clothing or belongings away from the officer, but don’t offer them up in a way that can be taken as consent.



Facilitator's Note

If none of the cops tried to get the youth’s bag, do the role play again, with the goal of the officer trying to get the youth’s bag and searching it.



VIII. WARRANTS

Materials for this section:

- Butcher paper (optional)
- Markers (optional)
- Tape (optional)
- A door or entry way



Now we are going to talk about warrants.



Facilitator's Note:

If you are near a door or opening in a wall, use this for this next section. Otherwise, have a volunteer hold a piece of paper up in front of their faces to symbolize a door.

Knock loudly on the table or the wall and say, "This is the police! Open up!" Wait for the volunteer participant's response. Then, ask the group, how did that go? Did they have to open the door?



You do not have to open the door if a police officer knocks on it. If an officer asks to come into your house, say, "Do you have a warrant?" (Remember, police are like vampires. They can - usually- only come in to your home when they are invited.) If the officer has a warrant, ask to see the warrant. **The warrant should:**

1. have the exact right information on it, spelled correctly,
2. be signed by a Judge
3. have a recent date
4. specifically state what they are looking for and where they want to search.

If it does, you have to let them into your house. But you should make sure that they only search the places that the warrant specifies – if they go beyond that say you don't consent to the search, but don't try to block their way.



Facilitator's Note

Try the role play again, this time using what participants have learned. Knock loudly on the table or the wall and say, "This is the police! Open up!" Wait for the volunteer participant's response. Then, ask the group, how it went the second time.



How did that go? Did they have to open the door?

IX. Q & A



We have one more game to play, but now is the time to ask any questions you might have. If I don't know the answer, I'll write your question down, get an answer for you later, and then contact you once I know. Let's not talk about open cases right now though or tell stories about times that police disrespected you. Instead, let's try to focus on questions for staying safe in the future.

Some frequently asked questions might be:

I heard a lot of police are having to wear body cameras now. Do police have to wear them and how do I know if a camera is on?

Each police department is different, but more and more police are starting to wear body cameras. Generally, the camera must be turned in when responding to a call or at the beginning of an interaction with a civilian who they've stopped. Usually, if a cop is just sitting in their car or driving around, the cameras don't have to be on. Depending on the type of camera, you'll know if the camera is on if a red or green light is blinking on it.

Can I record the police?

Yes, it is perfectly legal to record the police. While many people have been wrongfully arrested or told they cannot record police, it is not illegal. Be careful if you are trying to record the police during an interaction you are having with them if it means reaching into your purse or pocket to do so.

What if I'm in a car and I'm pulled over and the cop sees a bag of marijuana on my passenger side seat or in the backseat? Or what if I open the door and an officer sees marijuana on my coffee table inside my house?

If an officer can visually see something that is illegal (like drugs or an illegal weapon), they can search your vehicle or the room – this gives them “probable cause” to search.

What if I'm approached for sex by a police officer?

If you are approached for sex by a police officer, remember their name, badge number, etc. and ask if you are free to go. If they say you are being detained, you can try to ask them to call a supervisor to the scene, or move to a more populated area.



Facilitator's Note

If there is time, ask participants to share their own strategies for staying safer with the police. Honor the expertise in the room, but make sure that strategies are legal, safe, and don't put others in harm's way. Be aware that experiences of sexual harassment or assault by police are particularly traumatic, and may trigger folks in the room.



X. **GAME: Get YR Rights Jeopardy**

Inspired by Prison Moratorium Project NYC's Know Your Rights Jeopardy game!

- Category Cards
- Question Cards
- A bell or a noise maker for each team
- A scoreboard and scorekeeper
- A prize!



Before we start -
Who has played Jeopardy before?
Who hasn't?

Can the folks who have played before tell the folks who haven't how it's played?

Make sure you explain:

- Flip a coin to determine which team will start
 - The winning team picks a category and point level
 - The host reads the statement on the back
 - The team has 30 seconds to consult about their answer
 - The team must answer in the form of a question
 - If they get the answer right, they can pick another category and point level
 - If the team gets the answer wrong, the next team gets a chance
 - If the second team gets it right, they get to pick the category and point level
- the game goes until all questions have been asked or the time is up!

**NOW, DIVIDE THE GROUP INTO TWO TEAMS! MAKE SURE EACH TEAM HAS A NAME,
AND SET UP A PIECE OF CHART PAPER TO KEEP SCORE!**

GET YR RIGHTS JEOPARDY: FACILITATOR'S GUIDE

Use this Guide to Facilitate the Know Yr Rights Jeopardy game

Be smart about your audience. By this point in the training you should know what kind of individuals are participating, and you should be able to gauge how interactive this game of Jeopardy will be.

If you are working with a large group or you notice your participants are very interactive, add some of the **100 point bonus questions** provided to spice up the competition.

Note that the Law Degree section includes some things not specifically covered in the training, but great to know! Lots of discussion will likely come up with this section- take time to answer questions as you are able, but be mindful of time and keep the game moving.



PUTTING THE PIECES TOGETHER

1. Cut down the middle of the page (use the solid line as a guide)
2. Fold in 3's (use the dotted line as a guide)
3. Question is tucked inside to be revealed
4. Category number is to the front of the card. The Answer should be at the back "when flipping it around."
5. Paste up on a sizeable area
6. Measure the distance between Category numbers so that you can unravel the Question and Answer

CATEGORIES

HISTORY

**FRISK
AND SEARCH**

**QUESTIONS,
QUESTIONS**

**LAW
DEGREE**

WILD CARD!

100 PT

200 PT

**A PAT DOWN OF YOUR
OUTER CLOTHING OR THE
OUTSIDE OF YOUR BAG
FOR OFFICER SAFETY TO
DETERMINE IF YOU HAVE
A WEAPON.**

**WHAT AN OFFICER NEEDS
TO PERFORM A SEARCH OF
A PERSON'S POCKETS OR
PURSE**

WHAT IS A FRISK?

WHAT IS PROBABLE CAUSE?

300 PT

400 PT

**WHAT AN OFFICER NEEDS
TO PERFORM A SEARCH OF
A PERSON'S HOUSE.**

**THE WAY POLICE
OFFICERS ARE ABLE TO
GET AWAY WITH SEARCHES
WHEN THEY HAVE NO
LEGAL JUSTIFICATION.**

WHAT IS A WARRANT?

WHAT IS CONSENT?

500 PT

**100 PT
BONUS**

**A KIND OF SEARCH THAT
IS NEVER ALLOWED.**

**TRUE OR FALSE: A WOM-
AN CAN BE FRISKED BY A
MALE OFFICER.**

**WHAT IS A GENDER
SEARCH**

**1000PT BONUS
TRUE**

100 PT

200 PT

THE CHARGE PEOPLE OFTEN GET FOR TALKING BACK TO AN OFFICER, HANGING ON THE CORNER WITH A GROUP OF FRIENDS, FIGHTING, OR BEING TOO LOUD.

SOMETIMES CALLED THE OLDEST PROFESSION.

WHAT IS A DISORDERLY CONDUCT?

*Alternate answer: What is Disturbing the Peace?

BONUS (Extra 100 pts)

What does a cop actually have to show to prove a charge of Disorderly Conduct?

1. Conduct (Fighting, unreasonable noise, obscene language, failing to obey a lawful police order)
2. Causing public annoyance or alarm.

Facilitator's Note: You can point out that LGBTQ youth and adults, homeless people, and street musicians are often charged with this.

WHAT IS PROSTITUTION?

Bonus(Extra 100 pts)

What does a cop actually have to show to prove a charge of prostitution?

1. Agreement to exchange or an exchange
2. Sexual Conduct
3. Something of value

300 PT

400 PT

**SOMETHING LGBTQ
YOUTH ARE OFTEN
PROFILED FOR,
ESPECIALLY WHEN
CARRYING CONDOMS.**

**CRUISING OR A
WARDROBE
MALFUNCTION.**

**WHAT IS LOITERING
FOR THE PURPOSES OF
PROSTITUTION?**

Bonus (Extra 100 pts)

What does a cop actually have to show to prove a charge of loitering for the purposes of prostitution?

Wandering or remaining in a public place for purposes to engage in prostitution.

WHAT IS LEWD CONDUCT?

Bonus (Extra 100 pts)

What does a cop have to show to prove a charge of Lewd Conduct?

Public Sexual Conduct OR Display of sexual organs.

500 PT

**100 PT
BONUS**

**ANSWERING PHONES,
GIVING SOMEONE A
RIDE, DOING SECURITY,
SETTING UP A WEBSITE,
LENDING A PERSON YOUR
APARTMENT, WORKING
TOGETHER, BABYSITTING
WHEN YOU KNOW A
PERSON IS TRADING SEX.**

**CHARGES THAT
ARE GIVEN TO YOUNG
PEOPLE (PEOPLE UNDER
18), OFTEN LGBTQ YOUTH,
FOR THINGS THAT ARE
NOT CRIMINAL ACTIVITY
FOR ADULTS.
*ie, NOT GOING TO SCHOOL
OR RUNNING AWAY***

WHAT IS PROMOTING PROSTITUTION?

[Facilitator's Note: Ask the group "How can an officer prove that you intended to engage in prostitution?" **Answer:** Generally speaking, they use circumstances – what you are wearing, where you are, who you are talking to (only men), what time of day it is, whether there is a bus stop or open businesses nearby – or, whether you have condoms on you. A lot of groups are trying to get rid of these laws and pass laws that say cops can't use the fact that you have condoms on you to prove prostitution because it's a way to profile women and LGBTQ people.]

*Alternate answer: What is "Pimping"?
Bonus (Extra 100 pts)

What does a cop have to show to prove a charge of Promoting Prostitution?

Helping facilitating or benefiting from prostitution of another.

WHAT ARE STATUS OFFENSES?

100 PT

200 PT

**THIS EVENT STARTED AT
1:20AM AT THE
STONEWALL INN ON
CHRISTOPHER STREET IN
NEW YORK CITY
SATURDAY, JUNE 28, 1969**

**THEY TOOK OVER THE
TENDERLOIN IN 1966.**

**WHAT IS THE
STONEWALL
UPRISING?**

**WHAT ARE
THE COMPTON
RIOTS?**

300 PT

400 PT

THEY WERE STARS!

**THE FIRST CITY WHERE
THE DOJ ORDERED THE
POLICE DEPARTMENT
TO CREATE A POLICY
AROUND INTERACTING
WITH LGBTQ PEOPLE.**

**WHO ARE
SYLVIA RIVERA
AND MARSHA P. JOHNSON?**

WHAT IS NEW ORLEANS?

500 PT

**100 PT
BONUS**

THE CITY WITH THE FIRST ENFORCEABLE BAN ON PROFILING ON THE BASIS OF GENDER IDENTITY/ EXPRESSION OR SEXUAL ORIENTATION, AGE, GENDER, HOUSING STATUS, HIV STATUS, IMMIGRATION STATUS, RACE, RELIGION, AND NATIONAL ORIGIN.

WHAT IS THE CITY IN THE WORLD WITH THE HIGHEST RATE OF INCARCERATION, OR THE INCARCERATION CAPITAL OF THE WORLD.

WHAT IS NEW YORK?

WHAT IS NEW ORLEANS?

100 PT

200 PT

**THE FIRST THING
YOU SHOULD ASK WHEN
AN OFFICER ASKS YOU A
QUESTION.**

**YOUR GO TO PHRASE
WHEN YOU ARE IN A
PRECINCT, THE SPOT-
LIGHT IS IN YOUR FACE,
AND THE DETECTIVES ARE
“GOING IN”.**

WHAT IS “AM I FREE TO GO?”

**WHAT IS “I AM GOING TO
REMAIN SILENT, I WOULD
LIKE TO SPEAK WITH
A LAWYER”?**

300 PT

400 PT

ONE QUESTION A COP IS NEVER SUPPOSED TO ASK YOU- EXCEPT IN ARIZONA.

ONE THING YOU CAN ASK A COP WHO IS SEXUALLY HARRASSING YOU.

WHAT IS YOUR IMMIGRATION STATUS?

*Alternate answer:
What is show me your papers?

WHAT IS “CAN WE TAKE THIS CONVERSATION TO [A MORE PUBLIC PLACE]?”

*Alternate answer(s): What is...
Can you please call your supervisor?
Am I free to go?

What is your badge number?

500 PT

**100 PT
BONUS**

**A FICTIONAL MAGIC
NUMBER.**

**WHAT IS THE NUMBER
ONE MISCONCEPTION
CREATED BY LAW AND
ORDER?**

**WHAT IS THE AMOUNT
OF CONDOMS YOU ARE
ALLOWED TO CARRY?**

Facilitators Note: There is no magic number-even just one condom can be used as evidence of intent to engage in prostitution.

**COPS MUST READ YOU
YOUR RIGHTS WHEN THEY
ARREST YOU.**

100 PT

200 PT

**THE MOVIE THAT
INTRODUCED THE WORLD
TO NEW YORK'S HOUSE
BALL SCENE**

**FRANK OCEAN'S
FIRST MIXTAPE.**

**WHAT IS PARIS IS
BURNING?**

**WHAT IS NOSTALGIA,
ULTRA?**

300 PT

400 PT

**A DANCE FORM
ORIGINATING IN
NEW ORLEANS**

**AN ARTIST WHO SHOCKED
FANS IN 2013, PRESENTING
A VISUAL ALBUM
WITHOUT PRESS OR
PROMOTION, TO MUCH
CRITICAL ACCLAIM**

WHAT IS BOUNCE?

WHO/WHAT IS BEYONCE?

500 PT

**SUMMER'S HOTTEST
UPPER WEAR TREND,
KNOWN FOR THE WAY IT
EXPOSES THE MIDRIFF
IN AN ALMOST MAGICAL
WAY. KID CUDI WAS SEEN
WEARING ONE AT
COACHELLA.**

WHAT IS A CROP TOP?

BONUS!

MIRANDA RIGHTS GAME from Streetwise and Safe

Objectives:

- Explain Miranda Rights
- Emphasize that it's important to exercise the right to remain silent.



Introduction:

Facilitator says: **Now we're going to play a game called Be a People's Lawyer!**



Choose someone from the audience or your co-facilitator, if you have one.

_____ is going to be someone who was arrested and I'm going to be their lawyer. We're going to do a role play for you and when _____ asks me a question, it's your role to tell me what the right answer is.

Lawyer: Hi, my name is John Walsh, I'm your court appointed lawyer. Are you Jane Doe?

Detainee: Yes I am. They didn't read me my rights when they arrested me is that legal?

Lawyer: (Turn to audience for their answers.) What do you think, audience lawyers?

◀ Wait for their response ▶

Lawyer: Yes, it's legal. They don't have to read you your rights when they arrest you. They only have to read you your rights if you are under arrest and they are questioning you. You are under arrest right now. Have the police asked you any questions?

Detainee: Well, they didn't ask, but I gave them information thinking it might help me. They also said they didn't want me, they wanted someone else (pimp, dealer), so I told them I was selling but I don't have a pimp/dealer. Can they use that information?

Lawyer: (Turn to audience for their answers.) What do you think, audience lawyers?

◀ Wait for their response ▶

Lawyer: Yes – even though they didn't read you your rights and tell you that anything you say or do can be used against you in a court of law, they can use anything you tell them voluntarily against you – even if they told you they were after someone else and not you. The only way they *can't* use stuff you say against you is if they get the information by asking you a question after you are arrested without reading you your rights first. If you say anything on your own, they can use that. Remember, you can't get in trouble for *not* answering their questions, but you can get into more trouble by answering them before talking to a lawyer.

Detainee: What about the fact that when I was arrested I was profiled as a young Black man and I was frisked by a male officer and I identify as female? Can they use anything they found on me?

Lawyer: (Turn to audience for their answers.) What do you think, audience lawyers?

◀ Wait for their response ▶

Lawyer: Yes, the cops can use anything they found on you when they frisk you as long as they had a legal reason to search you – like they thought you were carrying a weapon – OR you agreed to the search. But if they don't have a legal reason to frisk or search you and you didn't consent to the search we may be able to get what they found on you thrown out. And if they didn't have a good reason to stop you and just profiled you for being young and Black, then we can use that to try to get the charges dropped.

Detainee: But is it legal for a male officer to frisk me if I am a female?

Lawyer: (Turn to audience for their answers.) What do you think, audience lawyers?

◀ Wait for their response ▶

Lawyer: Yes, it is. You can request a female officer to frisk you, but they don't have to provide you one, and you may have to wait until one can get there. One thing you should know though is that cops are NEVER allowed to search you to decide whether you are male or female.

Detainee: They asked me to sign this card about my rights. I didn't know what it was, should I have signed it?

Lawyer: (Turn to audience for their answers.) What do you think, audience lawyers?

◀ Wait for their response ▶

Lawyer: NO, you're talking about a Miranda Rights Waiver. You should never sign away your rights. If you would have signed that they would have had power to question you without your lawyer and use it against you in court. Just so you know, even if you sign it, you can take it back and still use your right to remain silent and request a lawyer. If they try to tell you its too late, just keep asking for a lawyer and don't say anything more.

Detainee: Well, they gave me this paper, and they told me that if I signed it they would let me go, so I signed it but didn't get released. Can they hold me after promising to let me go?

Lawyer: (Turn to audience for their answers.) What do you think, audience lawyers?

◀ Wait for their response ▶

Lawyer: Yes, the cops can legally lie to you, you shouldn't believe a cop's promise. Now that I am looking in the case file, what you signed was a confession to a crime. They can use this in court now, which makes it hard to prove your innocence. In the future, don't sign anything without your lawyer, especially if it says you did or said something. This concludes our initial interview. Your case will be called shortly. Sit tight, I'm going to try my best to prove your innocence in court. Don't talk to anyone unless I am there!



* PLEASE VIEW STREETWISE AND SAFE'S CRIMINAL INJUSTICE MAP
<http://justicemap.streetwiseandsafe.org/index.html>

RESOURCES

REMEMBER THESE 5 WORDS



“Am



I



free



to



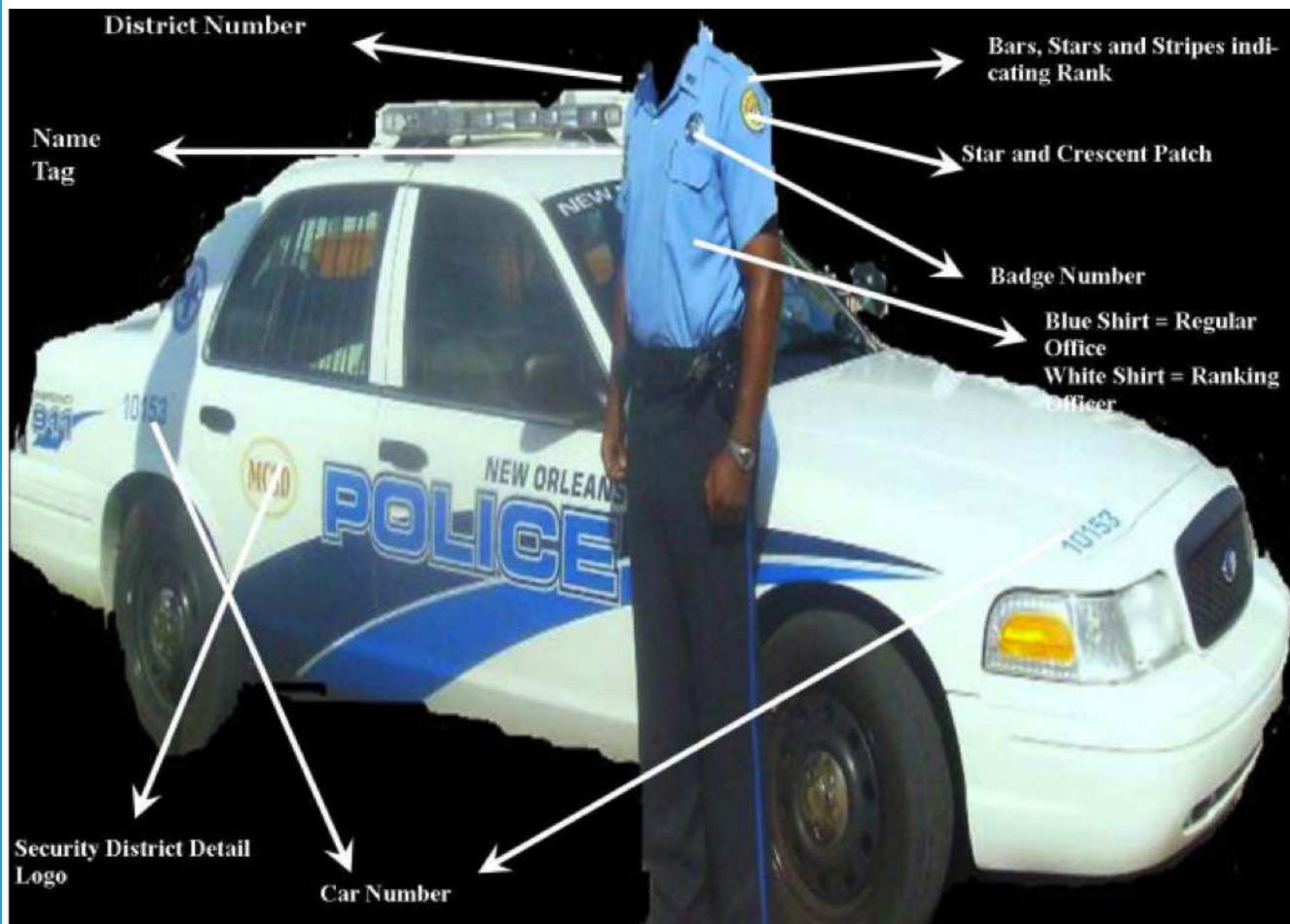
go?”

POLICE CAR/ UNIFORM DIAGRAM

(adapted from New Orleans Office of the Independent Police Monitor)

How to identify police officers, even if you don't get their name.

IDENTIFYING MARKINGS ON THE NOPD UNIFORM



| WHAT'S HAPPENING | WHAT IS IT CALLED | WHAT DOES THE OFFICER NEED | WHAT ARE MY RIGHTS | WHAT SHOULD I DO | WHAT HAPPENS NEXT | REALITIES | SPECIAL CONSIDERATIONS |
|---|------------------------------------|---|--|---|--|--|--|
| <p>Officer answers NO when I ask "Am I Free to Go?"</p> <p>Officer answers YES when I ask "Am I being detained?"</p> <p>Officer keeps my ID</p> <p>Officer puts his hands on me</p> <p>Officer tells me to put my hands on the wall, on the hood of the car, or to sit down on the curb</p> | <p>Stop -or- Detention</p> | <p>Reasonable Suspicion, based on objective facts, that you have committed, are committing or are about to commit a crime</p> | <p>You have the right to not be held for an unreasonable period of time while the officer investigates.</p> <p>You do NOT have the right to have the officer tell you the reason for the stop.</p> | <p>Remain silent!</p> | <p>The officer will either find that their suspicions are unjustified and release you</p> <p>OR</p> <p>You will be placed under arrest</p> | <p>Officers often stop people based on profiles, or vague things that don't amount to reasonable suspicion like "being in a high crime area"</p> <p>But, you can always give the officer information that gives them reasonable suspicion – that is why we recommend staying silent!</p> | |
| <p>Officer is patting down the outside of my clothing</p> | <p>Frisk</p> | <p>Reasonable suspicion that you are carrying a weapon and the officer is in danger</p> | <p>You have the right not to be frisked unless the officer has reasonable suspicion</p> | <p>Say I do not consent to this search!</p> | <p>Officer will probably search you anyway!</p> <p>Don't resist!</p> | <p>Officers often frisk people without reasonable suspicion – often it's a routine part of a stop. Say I don't consent to this search and anything they find on you might be excluded from evidence later if there is a case against you.</p> | <p>Be sure to tell your lawyer that you did not consent to the frisk.</p> <p>Because frisks are justified by concern for officer safety, an officer of any gender can frisk you.</p> |

GET YOUR RIGHTS CURRICULUM CHART

| WHAT'S HAPPENING | WHAT IS IT CALLED | WHAT DOES THE OFFICER NEED | WHAT ARE MY RIGHTS | WHAT SHOULD I DO | WHAT HAPPENS NEXT | REALITIES | SPECIAL CONSIDERATIONS |
|---|--|----------------------------|--|------------------------|---|--|---|
| Officer is talking to me on the street | Police encounter OR simple approach | Nothing | You have the right to not answer a police officer's questions | Ask "Am I free to go?" | If the answer is yes, walk away. If the answer is no, ask "Am I being detained?" | Some folks choose to respond when an officer says "hello" and answer a few basic questions like "where are you going" to avoid irritating the officer. We recommend keeping conversation to a minimum and asking "Am I free to go?" in a calm, conversational voice. | It is not against the law to have a different gender on your ID than the gender you express. It is not against the law to have an ID that reflects the gender you express rather than the gender you were assigned at birth. |
| Officer is asking for my ID on the street | Police encounter OR simple approach | Nothing | You have the right to not carry identification (unless you are driving a car, in which case you must carry a valid drivers' license) | Ask "Am I free to go?" | If the answer is yes, walk away. If the answer is no, ask "Am I being detained?" | While you have the right to not carry ID, the reality is that an officer might try to use the fact that you don't want to produce ID to falsely arrest you. We recommend producing your ID if asked. | |

| WHAT'S HAPPENING | WHAT IS IT CALLED | WHAT DOES THE OFFICER NEED | WHAT ARE MY RIGHTS | WHAT SHOULD I DO | WHAT HAPPENS NEXT | REALITIES | SPECIAL CONSIDERATIONS |
|---|---|--|---|--|---|---|------------------------|
| <ul style="list-style-type: none"> Officer is putting me in the patrol car Officer is putting handcuffs on me | <ul style="list-style-type: none"> Arrest | <ul style="list-style-type: none"> Probable cause to believe you are committing or have committed a crime | <ul style="list-style-type: none"> You have the right not to be arrested unless the officer has probable cause You do NOT have the right to have your Miranda rights read to you before you are arrested You do NOT have the right to know the reason you are being arrested | <ul style="list-style-type: none"> Remain silent | <ul style="list-style-type: none"> You will be taken to the precinct to be processed | <ul style="list-style-type: none"> Even if you don't think the officer has probable cause to arrest you, generally trying to explain gives them more information to use against you – remain silent! Just because an officer doesn't read you your Miranda rights doesn't mean the arrest is not valid! | |
| <ul style="list-style-type: none"> Officer is asking me questions after I am arrested | <ul style="list-style-type: none"> Custodial Interrogation | <ul style="list-style-type: none"> Probable cause to believe you are committing or have committed a crime | <ul style="list-style-type: none"> You have the right to not incriminate yourself (Miranda rights) | <ul style="list-style-type: none"> Say "I am going to exercise my right to remain silent" | <ul style="list-style-type: none"> The officers will either stop asking you questions or they will keep asking you questions | <ul style="list-style-type: none"> Don't sign anything without talking to your lawyer – it may be a waiver of your Miranda Rights! | |

| WHAT'S HAPPENING | WHAT IS IT CALLED | WHAT DOES THE OFFICER NEED | WHAT ARE MY RIGHTS | WHAT SHOULD I DO | WHAT HAPPENS NEXT | REALITIES | SPECIAL CONSIDERATIONS |
|---|-------------------|--|--|---|--|--|---|
| <p>Officer is telling me to empty my pockets</p> <p>Officer is telling me to remove my hat, coat, or shoes</p> <p>Officer is telling me to shake out my bra</p> <p>Officer is telling me to open up/hand over my bag or purse</p> | Search | <p>Probable cause to believe you are committing a crime</p> | <p>You have the right not to be searched unless the officer has probable cause</p> <p>Once you are at the precinct, you have the right to be searched by an officer of the gender you request.</p> | <p>Say I do not consent to this search!</p> | <p>Officer will probably search you anyway!</p> <p>Don't resist!</p> | <p>Officers often search people without probable cause – one way they do this is by getting you to CONSENT.</p> <p>If an officer tells you to do one of these things and you do it without saying you don't consent to the search, then the officer assumes you consent.</p> <p>Always say I don't consent to this search!</p> | <p>Once you are under arrest or at the precinct, everyone is automatically searched.</p> <p>Don't resist!</p> <p>At the precinct you have the right to be searched an officer of the gender you request</p> |
| <p>Officer is telling me to drop my pants</p> <p>Officer is telling me to lift up my shirt</p> | Strip search | <p>Probable cause to believe you are concealing a weapon, evidence or contraband</p> | <p>You have the right to not be strip searched unless the officer has probable cause to believe you are hiding weapons, evidence of a crime, or contraband</p> | <p>Say I do not consent to this search!</p> | <p>Officer will probably search you anyway!</p> <p>Don't resist!</p> | <p>Officers often search people without probable cause – one way they do this is by getting you to CONSENT.</p> <p>If an officer tells you to do one of these things and you do it without saying you don't consent to the search, then the officer assumes you consent.</p> <p>Always say I don't consent to this search!</p> | <p>At the precinct you have the right to be strip searched:</p> <ul style="list-style-type: none"> ▶ By an officer of the gender you request ▶ In a private area ▶ By no more than the number of officers needed to ensure safety. |

MORE WAYS TO ENGAGE WITH THE GET YR RIGHTS NETWORK:

Use the hashtag #GetYrRights

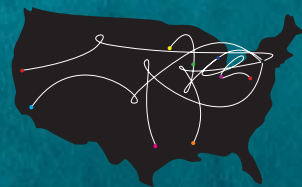
Make your own “**Know Your Rights**” tools and share them with us!
Email them to info@youthbreakout.org, info@streetwiseandsafe.org

Join the network and like us at
<http://www.facebook.com/YouthBreakOUT>

Contact us for more information!
www.getyrrights.org

Made possible with support from the Open Society Foundation





**GET YR
RIGHTS**