



Know Your Rights! Youth Interactions with Law Enforcement



If you ever find yourself in contact with Law Enforcement, it is important that you know what your rights are so that you can protect yourself. Police or ICE often assume Young People don't know their rights and try to take advantage of that. This is especially true if you are a black or brown youth, who are more often mistreated by the Police.

Key Things and Phrases to Remember

1) KEEP CALM

Whenever you come in contact with Law Enforcement, it is important to STAY CALM.

2) "Am I being detained? Am I free to go?"

If approached by Police, all you have to say is "Am I being detained?" Don't respond to their questions. Just keep repeating "Am I being detained?"

3) "I am going to remain silent. I wish to speak to an attorney."

This lets everyone know that you are choosing to remain silent and that if they wish to continue to ask you questions, you want to have a lawyer present!

4) "I do not consent to this search."

Police may ask for your permission to search you. Just say "I do not consent to this search."

Youth Legal Hotline: (510) 250-5277

Leave a message ANYTIME and include your name and number in the message.



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1) Keep Calm

Whenever you come in contact with Law Enforcement, it is important to **STAY CALM**.

Don't try to avoid or run away from Law Enforcement. Police can use this as an excuse to detain you or use force against you.

Don't be rude or try to argue with Law Enforcement. Remember they have all the power in the situation, so always think of your safety first!

Even if they are wrong, follow their instructions. Again, safety first!

Remember, your goal is NOT to get Law Enforcement to agree that they are violating your rights (because they never will!), but to argue that your rights were violated at a later date to a Judge or a Police Commission.

We may lose today but fight these injustices later and win when it counts!

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2) "Am I being detained?" and "Am I free to go?"

**Just like any other person on the street, Law Enforcement can talk to you without a reason.
But you don't have to talk to them!**

If ever approached by Police, all you have to say is "Am I being detained?"

- Don't respond to their questions.
- Just keep **repeating "Am I being detained?"**
- The Police may pretend they didn't hear you or that you will answer their questions if they keep asking them. Don't! Have them answer your question first!

If Law Enforcement says, "no" or "no, you are not being detained," then ask, "Am I free to go?"

- Again, as before, continue to ask this question until they answer it!
- Once they say "yes," say **"Thank you."** And slowly walk away.

If Law Enforcement says, "yes," "you are detained," or "you are not free to go."

- Don't get mad or argue with the Police about why you are being detained.
 - The Police don't have to tell you why you are being detained and can lie to you.
- Just remain calm and don't answer any of their questions!
 - Just continue to say **"I am going to remain silent. I would like to speak with an attorney."** (More about this below).
 - Feel free to say this as often as you want!
 - Remember, after you are detained, the only information you have to give them is:
 - Your name, Your address, and Your age; If you are under the age of 18, your guardian's information.
 - That's it!
 - Don't lie about your name, address, age, or guardian's information. Lying to the police is a crime and can lead to your arrest.
 - Also, you NEVER want to talk about your immigration status with the Police. It's none of their business!
 - After giving the police your name, address, age, and guardian's information continue to let them know that **"I am going to remain silent. I would like to speak with an attorney."**



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3) "I am going to remain silent. I wish to speak to an attorney."

After you are detained or arrested by Law Enforcement (see what to do before this moment above), you can answer all their questions with:

"I am going to remain silent. I would like to speak to an attorney."

Saying these two things enforces your rights. It lets everyone know that you are choosing to remain silent and that if they wish to continue to ask you questions, you want to have a lawyer present!

Even though it may sound funny, feel free to answer all their questions this way! Of course, remember that you do have to identify yourself (see above).



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4) "I do not consent to this search."

During your interactions with Law Enforcement, they may search you or your property. They may ask for your permission to search you.

- Just say **"I do not consent to this search."**
- Remember, if they are asking for permission, this means that they likely cannot do it without it!

What if they say "well, I am going to search you anyway" or begin to do it without your permission?

- Remember, remain calm.
 - Don't get mad or argue with Police about why they are searching you.
 - The Police don't have to tell you why they are searching you and can lie to you.
- As they search you and as they search your property, calmly let them know that **"I do not consent to this search."**
 - This lets everyone know that you are being searched against your wishes.
 - Do not try to avoid being searched or run.
 - This can lead to your arrest and puts your safety at risk.

Here are some moments that you should express that:

- If you are ever asked to hand something over, **do** hand it over while saying **"I do not consent to this search."**
- If you are asked to turn around to be searched, **do** turn around while saying **"I do not consent to this search."**
- If Police ever put their hands on you to begin searching you, **let them** while saying **"I do not consent to this search."**

Remember, knowing your rights may not stop you from having unwanted contact with Law Enforcement, but it will help you stop them from violating your rights and getting away with it! Lastly, you and anyone with you has the right to **record** any encounter with Law Enforcement. Upload the video to a platform (such as a google drive) so that if the police take your phone, you have the video saved.

For more information, consider viewing these materials:

- **ACLU of Northern CA: [Know Your Rights - Police Interactions for Black and Brown People \(09/30/2020\)](#)**

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