

#MYLIFEMATTERS **(I CAN BREATHE)**

An awareness tool kit for intergenerational conversation regarding safe interaction with police and other law enforcement officers.



TABLE OF CONTENTS

Introduction.....	iv
How to Use This Toolkit	1
10 Rules for Police Encounters	2
5 Big Reasons to REMAIN SILENT	5
Things to DO If You Are Arrested	6
Your Child is Arrested: Rights of Parents in Illinois	7
Know Your Rights: Demonstrations and Protests	8
Expressing Our Feelings... ..	10
Ten Rules of Survival if Stopped by the Police – Infographic	11

INTRODUCTION

The killing of civilians by organizations sworn to serve and protect has been a part of the American landscape since the earliest organized police departments. Many were accidental, and unfortunately, some were purposeful. Many reasons are given for these shootings, beatings, and chokings, but they present a pattern – “they were running away,” “he reached for my gun,” “she was reaching for a weapon,” “he ran at me in a threatening way” . . .

The combination of Social Media and an awakening national justice movement, in large part catalyzed by the shooting of Michael Brown in Ferguson, Missouri, has brought new awareness to the issue of abuse of force and police shootings. As a result, protests and demonstrations are taking place around the country, and even the world. While Trinity UCC is working with churches and other institutions on systemic solutions to the problems, it is incumbent for us to also educate our youth and young adults on survival skills in dealing with the current environment.

The purpose of this guide is to provide an opportunity for small community conversations – around the kitchen table, in the family room, or on the porch – so that adults, and the young people they love, can share critical information that can save lives. Our prayer is that this tool will reduce the number of preventable deaths and injuries through better preparation of our youth in their interactions with police officers, while also assuring they take full advantage of their legal rights.

We encourage you to share your experiences using these tools with us so that we can post additional, real world, information on our various communications platforms, and perhaps use them in updates and revisions to this document.



Daryle Brown
Trinity UCC Justice Watch Team
Trinity UCC Prison Ministry

HOW TO USE THIS TOOLKIT

The **#MyLifeMatters Toolkit** was developed to assist parents, mentors, and other community leaders to hold small group conversations with young men and women in their communities. Our goal is simple:

The **#MyLifeMatters Conversation Guide** was developed to provide a catalyst for conversation and advice with the youth of our communities. Information has been gathered from a variety of resources ranging from the Northwestern University Law School Legal Aide Clinic, to the ACLU, to a wonderful infographic from David Miller (founder of the Dare to be King Project), so that our young (and older) families and friends can successfully manage their inevitable interactions with law enforcement officials.

The toolkit is comprised of this booklet and two YouTube clips:

- ♦ <http://tinyurl.com/ForumTUCC> provides information snippets from three **How to Interact with Police Officer** forums held on December 14, 2014, where several legal, judicial, and police professionals within Trinity UCC shared their advice with young and old alike, and
- ♦ <http://tinyurl.com/10RulesTUCC> is a powerful video, **Get Home Safe**, that uses the **10 Rules of Survival** (inside back cover) to create 90 seconds that every young person should see.

This Booklet provides short sections on a variety of critical topics; it is strongly suggested that you cover the first three sections. While you are free to manage this conversation as you find appropriate, one suggestion is to:

- **Present each bullet point as a question to your group.** For example:
 - One of the first rules for managing police encounters is to *calm down*. Why do you think that is important? Or . . .
 - Remaining silent until you have a lawyer and parent with you, other than to tell you name and address, and your parent(s) telephone number, is very important. Why do you think that is true?
- **Emphasize the most critical points:**
 - **Be calm and respectful**, and follow law enforcement officer instructions, except . . .
 - **Remain Silent.** Only provide basic information: Name, where you live, and your parent(s) name and telephone number.

However you use this guide, it is important to share this information as broadly as possible with the young men and women in our lives.

10 SIMPLE RULES FOR POLICE ENCOUNTERS

Excerpted from NewsOne, by Madison J. Gray

- 1. Calm down.** This is the cardinal rule for dealing with any law enforcement agent, be they your local or state police, or the FBI, or Homeland Security. In the officer's brain, he or she is most likely thinking, "Diffuse the situation," that is also how you should be thinking, even if you have to take a few deep breaths to do it.
- 2. Keep your hands visible.** This is a major part of diffusing the situation. When the cop can't see your hands, he or she doesn't know where they are or what you are doing with them. When they see you're not a threat, they are less likely to perceive you as one — and less likely to draw a weapon.
- 3. Shut up.** Other than identifying yourself when asked, you're really under no obligation to start running your mouth, and when you do, you could be inadvertently incriminating yourself. Whatever you do, DON'T ARGUE. Truth is, unless you are under arrest, you don't have to speak (outside of a few things we'll discuss below) and even then the only things you should say are, "I want to remain silent," and "I would like to speak to a lawyer." **See Page 5 for more reasons.**
- 4. Have your identification handy.** If a police officer asks to see your ID, give it to him/her, and you might even tell them that you're going in to your pocket or purse to get it so that he can't say you're reaching for a weapon. Again, stay calm and even-tempered through this process.
- 5. Find out if you're being detained.** A simple question will let you know if you have to stay and deal with the police or if you can go on your way: "Officer, am I being detained or am I free to go?" Don't ask it in a snide or condescending way. Check your attitude and just ask the question. What you want is to end the engagement as calmly and as soon as you can. If they are not detaining you, then they can't keep. If you stay, that can be interpreted as voluntary. Remember, when the cop tells you that you are free to go, just leave.

- 6. Do not consent to illegal searches.** A police officer can stop you for reasonable suspicion or “probable cause,” which means the cop reasonably believes that you have committed a crime. If no evidence is apparent, there is no reasonable suspicion or probable cause, and there is no search warrant, then the police can’t just go through your car or home. He can pat you down to be sure you don’t have a weapon, but that’s about it. If he goes further and says he wants to search your property, you can simply say: “Officer, I do not consent to any searches.” In some cases, they will search anyway, but even if they find something, it would not be admissible as evidence against you in court because it came through an illegal search.

- 7. Do not resist arrest or even give the impression that you will.** In countless police shootings, this would have been the difference between life and death. It is much, much better to simply comply when you are under arrest. Running will only make them more frustrated and may compound any charges against you. Being patted down on a wall or on your car, or being told to lie down on your stomach won’t be the proudest moment of your life, but just let it happen and live to fight another day.

- 8. Do not become “Super Negro.”** If you give the impression that you will fight them, the police will make use of years of training to subdue you. This means that sudden movement, nervousness; loud, angry or profane talk; or putting your hands on a cop could be enough to make them draw a weapon on you. From there, if they even think you have a weapon and might use it, they will aim at you. If you draw a weapon and refuse to put it down, they will fire - when an officer fires his weapon, he does not shoot to wound.

- 9. Tell your friends to follow the above rules as well.** If you are in a group, that doesn’t mean strength in numbers. There is no reason for the police to behave any differently if they believe there is reasonable suspicion and detain you.

10. Use your eyes, ears, and memory. If it turns out that the police were engaged in misconduct, your best weapon is your ability to take mental notes of the whole encounter as best you can. Remember what the officers said to you, what they asked you, and what reason they gave for stopping you. Look at them directly and remember what they looked like and how their voices sounded. If you can, try to remember their badge numbers. Most importantly, as soon as you can, write down or voice record what happened, and omit anything that might be inaccurate.

Find the entire article at tinyurl.com/NewsOne10Rules, or use the QR Code below.

Mr. Gray is a frequent writer on urban issues and criminal justice, based in Brooklyn N.Y. Follow him on **Twitter: @madisonjgray**



5 REASONS TO REMAIN SILENT

From the Defense Blog of Attorney David O (davidodefense.com)

1. Talking to the police will not convince them of your innocence. Some people think that if they tell the officers they are not guilty of a crime that the officer will believe their story and let them go. Wrong, that does not happen, the officer already has some reasonable cause for thinking you have committed a crime and sharing your side of the story will only lead to serious risks of saying incriminating statements.

2. Remaining silent does not mean you are guilty. Often people believe that not talking to law enforcement means they are admitting they are guilty. False, it just means you have chosen to exercise your constitutional right to remain silent. You have the right to remain silent!

3. There is no benefit from admitting your guilt. Confessing your guilt of a crime to a police officer has no benefit. In fact, typically, an individual who confesses their crime to an officer will face a longer and harsher sentence than an individual who did not confess guilt and let their criminal defense attorney do the talking for them. It is much more difficult for a defense attorney to negotiate a plea bargain for an individual that has confessed to an officer of their guilt. REMAIN SILENT!

4. Police often embellish and exaggerate. Unfortunately, officers don't write their police reports from an unbiased perspective, they write their reports from their own perspective. If you don't talk, a cop cannot exaggerate on your statements.

5. The more times you tell a story, the harder it becomes to tell it the same. It is nearly impossible to retell a story exactly how you told it the first time, even if it is the truth. Discrepancies will be used to discredit you, if your court testimony differs from your original story.

THINGS TO DO IF YOU ARE ARRESTED

(From the St. Lawrence County Public Defender's Office, Canton, NY: tinyurl.com/PDArrested)

- **Be polite and as courteous as possible to the police.** Do not give them any reason to find you threatening.
- **Ask for the police officer's name and badge number, or read it off of his or her badge.** Try to remember it. Try to get a good look at the officer's face so that you can identify him or her later by that method, if necessary.
- **If you are arrested in your car, show the police officer your driver's license and registration information.**
- **If you are a child/minor (under 17) ask for your parent or guardian to be contacted.**
- If you are taken into custody, **KEEP SILENT** until your parent and attorney, are present (**parents, keep your child silent** until your attorney is present)
- Ask if you are under arrest. If you are, you have the right to be told why.
- **Clearly inform the police that you will not speak to them about anything without an attorney being present.**
- **As soon as you can, write down everything** that happened during the course of your arrest so that you can use that writing to refresh your memory at a later date.
- **If you are physically injured by the police** during the course of your arrest, seek medical attention and inform your medical providers of the cause of your injuries. Take photographs of your injuries as soon as possible.
- **Remember that you do not have to answer ANY question that the police ask of you.** If you answer a question which at first seems harmless, be aware that it may later come back to haunt you. **Wait for your attorney!**

YOUR CHILD IS ARRESTED

RIGHTS OF PARENTS IN ILLINOIS

Excerpt from *The Juvenile Justice System: A Guide for Families in Illinois*. Find it at tinyurl.com/NWLawGuide.

YOU MUST BE NOTIFIED IF YOUR CHILD IS ARRESTED OR HELD BY POLICE Police must tell you as quickly as possible if your child is arrested or is held as a suspect or a witness. This is why it is important for your child to tell police his or her name and how to contact you. If you learn that your child is in police custody, you should go to your child right away.

YOU HAVE A RIGHT TO KNOW WHY YOUR CHILD IS IN POLICE CUSTODY AND WHERE YOUR CHILD IS BEING HELD Police must tell you about the charges against your child, and what crime they believe your child has committed. Police also must tell you where your child is held in police custody.

YOU HAVE A RIGHT TO A LAWYER FOR YOUR CHILD You have a right to a lawyer for your child, even if you can't pay for one. The court system will give your child a lawyer for free. Police must stop questioning your child as soon as he or she asks for a lawyer. You and your child should remain silent until the lawyer arrives. Asking for a lawyer does not mean that your child is guilty or that you are being difficult.

YOU SHOULD BE ALLOWED TO SEE YOUR CHILD, AND TO BE WITH YOUR CHILD DURING ALL QUESTIONING Tell police that you want to see your child right away. Stay with your child to be sure that your child's rights are protected, and make sure your child tells police that he or she wants a lawyer. **STAY CALM.** Don't yell or become upset. If you are under control, you can better help your child.

NOTE: The entire document, created by the Northwestern Legal Aid Clinic provides excellent information about the Juvenile process. Download it at <http://tinyurl.com/NWLawGuide>



KNOW YOUR RIGHTS

DEMONSTRATIONS AND PROTESTS

From the American Civil Liberties Union General Guidelines
(For more detail go to <http://tinyurl.com/TrinityACLU> or scan the QR Code)

The First Amendment prohibits restrictions based on the content of speech. You have a right to say what you want, except under very narrow, nondiscriminatory conditions.

Generally, all types of expression are constitutionally protected in traditional “public forums” such as streets, sidewalks and parks and your speech activity may be permitted to take place at other public locations (like plazas) that the government has opened up to similar speech activities.

In general, owners of private property may set rules limiting your free speech. If you disobey the property owner’s rules, they can order you off their property (and have you arrested for trespassing if you do not comply).

Permits are not usually needed in order to engage in free speech activity, unless there is:

- A march or parade that does not stay on the sidewalk and other events that require blocking traffic or street closure
- A large rally requiring the use of sound amplifying devices; or
- A rally at certain designated parks or plazas

Many permit procedures require that the application be filed several weeks in advance of the event. However, the First Amendment prohibits such an advance notice requirement from being used to prevent rallies or demonstrations that are rapid responses to unforeseeable and recent events. A permit cannot be denied because the event is controversial or will express unpopular views.

If marchers stay on the sidewalks and obey traffic and pedestrian signals, their activity is constitutionally protected, even without a permit.

- You may approach pedestrians on public sidewalks with leaflets, newspapers, petitions and solicitations for donations without a permit.
- You have the right to picket on public sidewalks without a permit, but it must be done in an orderly, non-disruptive fashion so that pedestrians can pass by and entrances to buildings are not blocked.
- The government cannot discriminate against activities because of the controversial content of the message, so if you can show similar events have been permitted in the past, you have a right to be granted a permit.

The First Amendment covers all forms of communication including music, theater, film and dance. The Constitution also protects actions that symbolically express a viewpoint. Examples of these symbolic forms of speech include wearing masks and costumes or holding a candlelight vigil. However, symbolic acts and civil disobedience that involve illegal conduct may be outside the realm of constitutional protections and can sometimes lead to arrest and conviction. Therefore, while sitting in a road may be expressing a political opinion, the act of blocking traffic may lead to criminal punishment.

What should I do if my rights are being violated by a police officer?

It rarely does any good to argue with a street patrol officer. Ask to talk to a supervisor and explain your position to him or her. Point out that you are not disrupting anyone else's activity and that the First Amendment protects your actions. If you do not obey an officer, you might be arrested and taken from the scene. You should not be convicted if a court concludes that your First Amendment rights have been violated.



EXPRESSING OUR FEELINGS

*Racism should
be classified as a
mental illness . . .
people need therapy.*
— Dr. Sunni Ali

**Speak truth to power, even
if your voice shakes.**
— Ebony Only

They tried to bury us. They didn't know we were seeds.
@YaMeCanse via Harvard Medical Students

#ICANTBREATHE

*It seems they think we
are going to go away,
but we are only going
to grow.*
— Russell Simmons

*Any agenda we pursue to make
ourselves more palatable to
others takes us farther away
from ourselves.*
- Emma Jordan-Simpson

#BLACKLIVESMATTER BECAUSE . . .

. . . God created us all in His image, I AM a child of the most high!

— Yolanda Kelly

. . . We are worthy. — LaVerne Mack

. . . All lives matter, point blank period. — Joanne Gillispie

. . . We are all the same under the Son. — Sheryl Thomas

. . . Our children are our future! And they play with EVERYONE until they are told not to. . . . "Hate causes so many problems but has YET to solve one" Maya Angelou — LaDonna Ashley

. . . Equality for all matters. — Kristin A. Lewis

10 RULES OF SURVIVAL IF STOPPED BY THE POLICE*

Encounters with the police can cost you your life. Think about your actions!

Remember that your goal is to get home safely. Use these rules to help do that. If you feel that your rights have been violated, you and your parents have the right to file a formal complaint with your local police jurisdiction.

01 Be polite and respectful when stopped by the police. Keep your mouth closed!

Don't, under any circumstance, get into an argument with police.

03

02

04

Always remember that anything you say or do can be used against you in court.

05

Keep your hands in plain sight and make sure the police can see your hands at all times.

06

Avoid physical contact with the police. No sudden movements & keep hands out of your pockets.

07

Do not run even if you are afraid of the police.

08

Even if you believe that you are innocent, do not resist arrest.

09

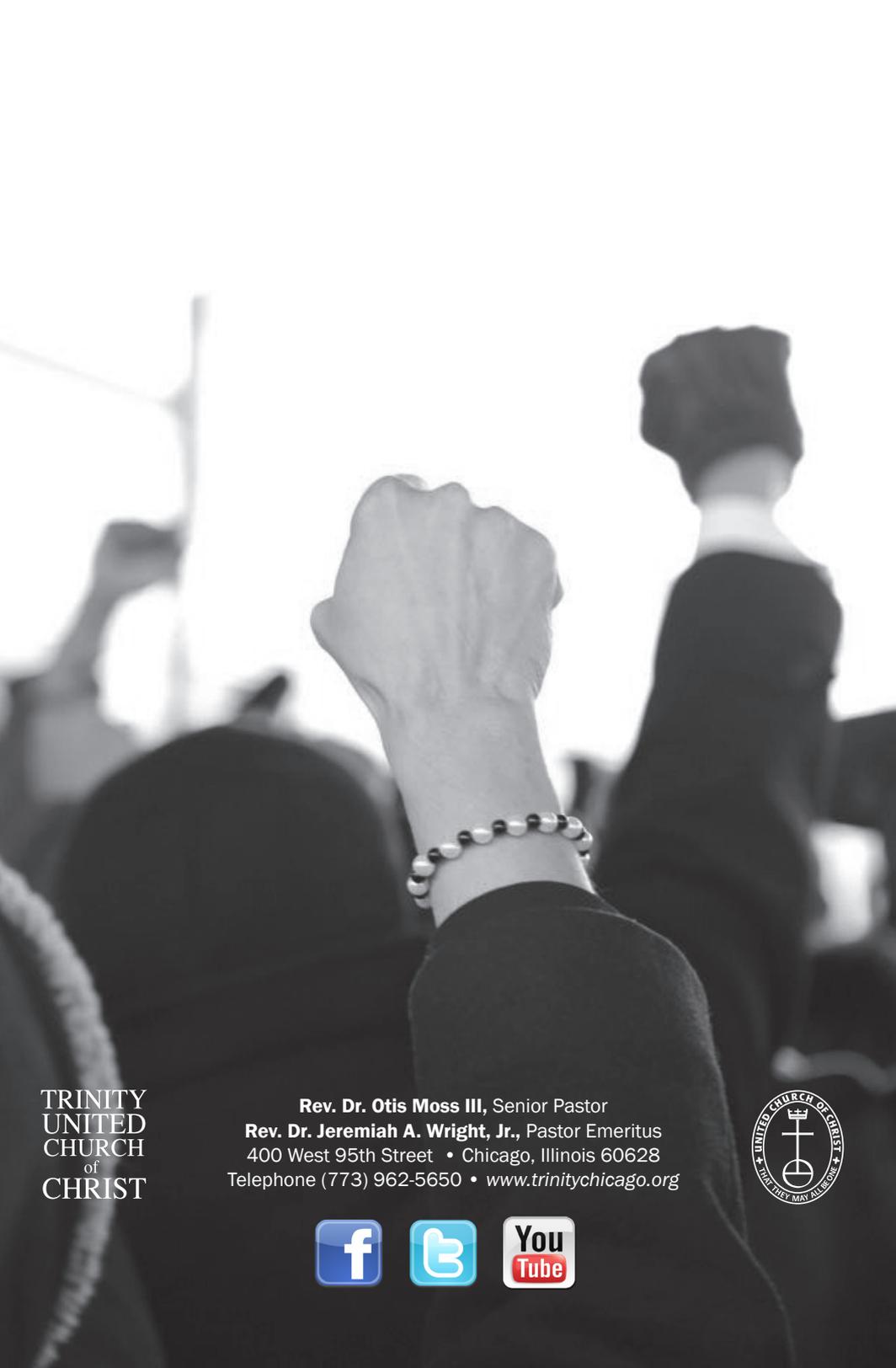
STOP

Don't make any statements about the incident until you are able to meet with a lawyer or a public defender.

10

Stay calm and remain in control. Watch your words body language and emotions.

*10 Rules of Survival was developed by David Miller's Dare to Be King: What if the Prince Lives program, who's mission is to inspire, support and strengthen organizations that provide services to boys of color. Find out more and purchase the poster at: <http://daretobeking.net>



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UNITED
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of
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Rev. Dr. Otis Moss III, Senior Pastor
Rev. Dr. Jeremiah A. Wright, Jr., Pastor Emeritus
400 West 95th Street • Chicago, Illinois 60628
Telephone (773) 962-5650 • www.trinitychicago.org

