

Know Your Rights: Police in Schools

Many schools have police officers stationed on campus. Other schools may call police to respond to particular situations. Even though you are in school, you still have rights when interacting with police.

SEARCHES

Can a police officer search me, my backpack, or my possessions without a warrant? GENERALLY, NO. In Washington, police need a warrant (an order signed by a judge) to search a student or backpack. If the police officer doesn't have a warrant, he may still search you if there's an emergency or if you agree to the search.

Do I have the right to refuse a search if an officer asks to search me or my possessions? YES. Officers without a warrant may ask you for permission to search. You can say, "**I DO NOT CONSENT TO THIS SEARCH.**" You cannot be punished for refusing to allow an officer to search you.

Can a police officer search my locker? YES. In Washington, lockers are considered school property, so schools can agree to allow officers to search. If you have possessions in your locker (like a purse or backpack), the officer probably can't search them without a warrant or other exception. If your belongings have been wrongfully searched, you may want to call a lawyer..

QUESTIONING

Can a police officer question me in school? Each school has its own policy. Most schools encourage officers to question students off campus, but do allow officers to question students in school. If an officer suspects you of a crime, he or she has to advise you of your right to remain silent before questioning you.

Do police officers have to tell my parents before questioning me in school? It depends on the school policy and your age. Most schools have a policy to notify parents of students under 12 if an officer is questioning the student. But, for students 12 and older, schools generally do not require parents to be notified before an officer can question the student.

Do I have the right to remain silent? YES. It is your choice whether or not to speak to an officer. If you talk, keep in mind that your words can be used against you. If you don't want to talk to an officer, you should first ask "**AM I FREE TO LEAVE?**" If the officer says you are free to leave, you should go. If the officer says you are not free to leave, you should say "**I WANT TO REMAIN SILENT AND I WANT TO SPEAK TO A LAWYER.**" Then, you should not talk to the officer until after you meet with a lawyer.

ARRESTS

Can I be arrested at school? YES, but only if the officer has probable cause to believe that you committed a crime. Probable cause means the officer knows facts (not a rumor or a guess) that mean it is more likely than not you committed a crime. If you are arrested, **ask for a lawyer RIGHT AWAY.** Do

not speak or answer questions until you can talk to a lawyer. Do not resist or fight the officer. Ask for the officer's name and badge number.

Can I be handcuffed or physically restrained by a police officer in school? YES, but only under certain conditions. A student can be handcuffed or restrained if he or she is under arrest. But, otherwise, a student may be handcuffed or restrained in school only when it is necessary to stop behavior that poses a risk of serious harm to others or to school property. You shouldn't be handcuffed or restrained as a form of ordinary school discipline.

COMPLAINTS

Can I complain about the behavior of the officer? Yes. You can make a complaint if the officer physically assaults you, curses at you, touches you inappropriately or makes inappropriate comments, makes negative comments about your race, religion, gender, accent, national origin or sexual orientation, or acts inappropriately in other ways. You can make complaints to the school principal and school district superintendent and to the local police or the sheriff.

Remember the officer's badge number and name and write down everything that happened as soon as you can. Write down the names and phone numbers of witnesses.