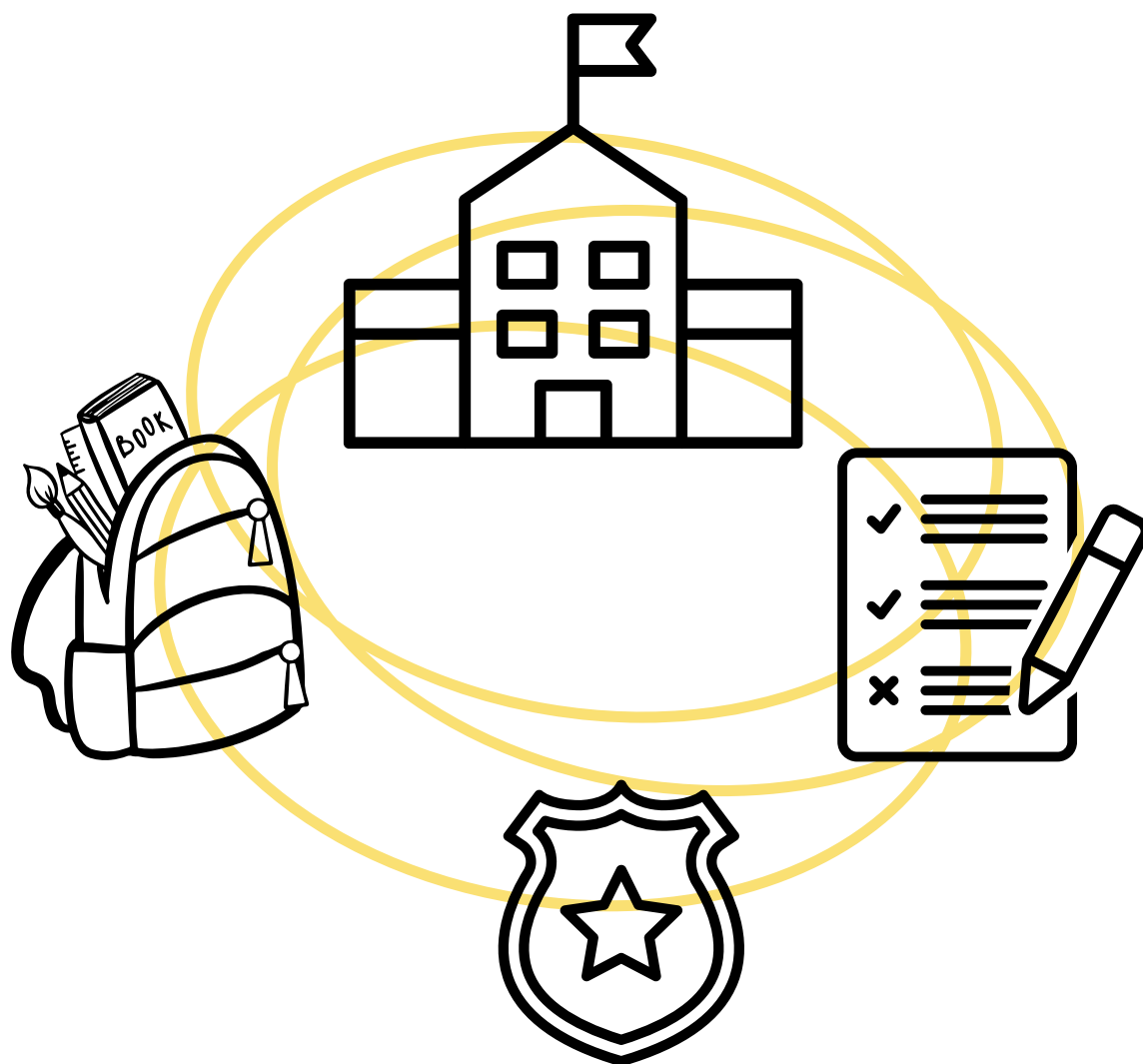


Police in Schools



Know Your Rights: Police in Schools

Talking to the police can be stressful and scary. The following information is intended to help you avoid a potentially harmful or traumatic situation when interacting with the police in schools.

Protect Your Rights

Practice saying these 3 things:

- I do not consent to this search.
- Am I free to leave?
- I want to remain silent & I want to speak to a lawyer.

But first, how are school police different from other police? In Washington, police officers assigned to work at public schools are often called “School Resource Officers” (SROs). SROs are commissioned law enforcement officers with authority to make arrests and may work full or part time in the school even though they are employed by a police department or sheriff’s office.

How are school police different from safety or security staff? Some schools have other types of safety and security staff employed by the school. Although they may have safety-related functions similar to those of an SRO, they are not commissioned law enforcement officers and CANNOT make arrests.

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 their possessions, unless there is an emergency or you agree to the search. If you are under 18 years old, the officer **must** provide you with access to a lawyer for consultation *before* they begin searching you.

Do I have the right to refuse a search if an officer asks to search me or my possessions? YES. You have the absolute right to refuse consent for a search. You can say, **“I DO NOT CONSENT TO THIS SEARCH.”** You cannot be punished for refusing to allow a search.

QUESTIONING

Can a police officer question me in school? YES, but the officer has to follow certain rules. Officers must give you access to a lawyer before questioning you about a crime, and you always have the right to remain silent.

Do police officers have to tell my parents if they question me in school? GENERALLY, YES. Parents have the right to be notified if police question their children in school, unless the parent or guardian has been accused of abuse or neglect.

Do I have the right to remain silent? YES. Remember: you choose whether to speak to an officer or not. If you choose to speak, keep in mind that your words can be used against you. If you do not 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 speak to the officer until after you **get advice from a lawyer.** If the officer is questioning you as part of an investigation, they must provide you with access to a lawyer prior to any questioning or before detaining you.

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 officers know facts (not a rumor or a guess) that make them reasonably believe you committed a crime.

If you are arrested, **ask for a lawyer RIGHT AWAY.** Do not speak or answer questions until you get advice from a lawyer, either in person or by phone or video. 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 they are under arrest, or if it is necessary to stop behavior that poses a risk of serious harm to others or to school property. You should not be handcuffed or restrained as a form of ordinary school discipline.

CREATE A RECORD

Remember the officer’s badge number and name, and write down everything that happened as soon as you can.

Can I complain about the behavior of an officer? YES, you have a First Amendment right to make a complaint about police officers who do or say inappropriate things. You can make complaints to the school or district and to the local police or the sheriff.

How should I document my experience? *In any police interaction, it is important that you create a complete record.* You have the right to video record officers in public spaces, so long as you are not interfering with their ability to do their jobs. Make sure to write down everything you remember, including officers’ names, agency, badge and patrol car numbers and any use of weapons. If you were injured, it helps to seek medical attention to document your injuries.