HOW TO INTERACT WITH POLICE IN NEW YORK CITY PUBLIC SCHOOLS

KNOW YOUR RIGHTS

You have the right to feel safe and welcome in your school. You also have rights when you come in contact with the police in school. There are police officers in every single school in New York City. These police can stop, question, search, handcuff, and arrest students and adults. By knowing your rights, you will know what to expect in these situations, and you may be able to tell if the police aren’t following the rules. You can also help your friends and classmates avoid unnecessary trouble.

The rules on this card apply to all police officers: the NYPD officers you see on the street or in police cars, AND the officers who are in your school. That includes, for example, the person who checks ID cards at the front door, and the people you see at scanning. All of those people are police officers.

IF YOU ARE STOPPED BY POLICE AT SCHOOL

1. Stay cool. The only thing you can control is yourself.
2. You cannot be forced to answer questions or provide information. Just say, “I WANT TO REMAIN SILENT.”
3. Keep your hands where the officer can see them.
4. DON’T RUN away from an officer.
5. DON’T RESIST or interfere with an officer (even if you think they are wrong).
6. If you are searched, say “I DO NOT CONSENT TO THIS SEARCH.”
7. If you’re arrested, ASK FOR A LAWYER immediately. A lawyer will be provided for free.
8. Remember the officer’s badge number and name.
9. If you have a bad encounter with any police officer, write down everything you remember as soon as you can.
10. If you have a bad encounter with any police officer, try to find witnesses. Get their names and phone numbers.
11. If you are hurt, get medical attention. Take photos of the injuries as soon as possible.
12. Police are not allowed to arrest you for breaking school rules like dress code violations, misbehaving in class, or vaping. If you see this happening in your school, contact the NYCLU.
13. Schools in NYC are not permitted to give information to ICE about students who are immigrants. If you have concerns about this, contact the NYCLU.

SEARCHES

A search is when an officer looks through your bags or your pockets to find evidence of a crime. Officers need to get the principal’s permission before searching you and your things, unless it’s an emergency situation.

If an officer asks to search you or your bag, you should say: “I do not consent to this search.” The officer will probably search you anyway, but by saying “I do not consent,” you are making it clear they do not have your permission to search you.

This could help you later if you get in trouble, so be sure to tell your lawyer you said it.

No matter what, do not resist or fight the officer. Resisting could get you hurt or arrested.

To search you or your belongings, a police officer must have some information that makes them believe you committed a crime, and that they will find evidence by searching you. They can only search places where they reasonably could find that evidence. For example, an officer cannot search your pockets if they suspect you stole a laptop.

The police cannot take your phone away for violating the school’s cell phone policy. They can only search places on your phone where they think they will find evidence of a crime, so if they are looking for a video of a fight, they cannot also read your text messages.

You should only be searched by a police officer of the same gender/gender expression as you, unless there is no alternative. If any police officer ever sexually harasses or touches you, or makes you uncomfortable, you should report it to your principal and contact the NYCLU.

Police officers in your school and school employees are not allowed to strip search you, ever. If you are ever asked to take off clothes, other than coats or shoes, contact the NYCLU immediately.

METAL DETECTORS

Schools can use metal detectors (scanners) to stop students from bringing dangerous items into school. A metal detector is a kind of search of you and your belongings.

If you set off the metal detector, an officer may scan you with a hand-held metal detector or wand. This must be done by an officer of the same gender expression as the student, unless there is no alternative. The officer cannot touch your body during this scan, but they might ask you to remove
items from your pockets. Students who refuse to go through metal detectors must not be sent home or denied entry into the school. A student who refuses to go through a metal detector should be sent to the principal's office. If you are concerned about going through the metal detector at your school, for example if you are pregnant, contact the NYCLU. The principal, vice principal or a dean must be present at scanning.

YOU HAVE THE RIGHT TO REMAIN SILENT

It is your choice whether or not to speak to police. If you do speak, everything you say can be used against you. If you choose not to speak, you can say “I choose to remain silent.” This is your right. If you are arrested in the police officer’s custody, they should affirmatively tell you that you have the right to remain silent, that anything you say can be used against you, and that you have the right to an attorney. These are called your Miranda warnings. If you were not given these warnings, tell your attorney details about when you were questioned so that they can determine whether they should have been read to you.

During police questioning is not the best time to tell your side of the story. If it comes down to it, you can tell your side to your lawyer later. You don’t know what information an officer has about you, and police officers are allowed to lie to you. Remember, the only thing you can control in this situation is yourself.

If an officer wants to question you about a crime that took place in school, the school must get your parent’s or guardian’s permission first, except in an emergency. You never have to answer questions, even if your parent says it is ok. The principal or another school employee must be present during the questioning.

Police officers are not permitted to question you during school about events that have nothing to do with school, except in an emergency. For example, if your friend stole something from a store, the police should not take you out of class to question you. If this happens, contact the NYCLU.

YOU HAVE THE RIGHT TO MAKE A COMPLAINT

You can file a complaint if a school safety officer or police officer:

- Physically assaults you (punching, shoving, kicking, slapping, hair pulling)
- Curses at you
- Touches you inappropriately or makes comments that make you uncomfortable (for example commenting about your body or clothes, asking you for your phone number, or adding you on social media)
- Makes comments about your race, religion, gender, accent, national origin or sexual orientation
- Asks for immigration information about you or your family
- Disrespects you in any way

To make a complaint contact 311.

Be ready to describe where and when the incident happened, the officer’s name, badge number and physical description, and what took place. You can make a complaint even if you don’t know all of these details.

You should also tell your principal about the incident.

Contact the New York Civil Liberties Union:

We can sometimes help with your case, your suspension hearing, or trouble with the police. By letting us know what’s going on in your school, you can also help us assist other young people.

Call 212-607-3300
Email us at schools@nyclu.org
Visit www.nyclu.org
Mail us a letter at 125 Broad Street, 19th Floor, New York, NY 10004

If you were arrested and do not have a lawyer, contact the Legal Aid Society at 212-577-3300.