

Rights and Responsibilities under U.S. Law

Preparing to Facilitate

Introduction	<p>Materials and Equipment</p> <ul style="list-style-type: none"> • Name tags • Flip chart paper • Markers in different colors, • Masking tape • DVD Player • Video • Discussion Questions • Voices for Community Success Program materials for long version • Legal System-related Resources • Participant Handouts <p>Participant Handouts</p> <ul style="list-style-type: none"> • “Rights to an Interpreter” card • “Legal Rights for ALL” • Legal Assistance Contacts List
Ice-breaker—Debate	
Transition	
Video Segment One	
View Video Segment One—Protection for All Under the Law	
Discussion	
Video Segment Two	
View Segment Two—Driving and Traffic Violations	
Discussion	
Video Segment Three	
View Segment Three—U.S. Legal System	
Discussion	
Conclusion and Follow-up	
<p>Video Running Time = 22:33</p> <p>Total Estimated Session Time = 1 hour 20 minutes</p>	

Facilitator’s Note: If possible, this discussion may be greatly enhanced by the presence of an “expert” guest. For legal system, this could include local, regional or State level law enforcement officers, immigration attorney, public defender, etc.

Introduction

5 Minutes

Begin the session by introducing yourself and your position. Explain that you will be facilitating today's session.

We suggest that you may want to begin with a quick introduction that highlights discussion goals/objectives and what may be learned from the video and discussion.

This brief introduction could highlight:

- How the U.S. Legal System provides certain basic rights and protections for all residents, including those living in the U.S. without documents
- What role different areas of law enforcement plays in the United States, such as police officers, lawyers, etc. and how this differs from immigration enforcement
- What specific rights and responsibilities residents have if they are questioned by police, including rights for non-English speakers, and within each step of the U.S. legal process
- How to assist all law enforcement and other legal personnel in upholding the law, and building a trusting, cooperative relationship with law enforcement to protect all members of the community

Ice-breaker—Why/Why Not Debate

10 Minutes

Participants should divide into two approximately equal groups. Present a hypothetical situation to participants, which highlight potential areas of unease or discord with law enforcement. Examples include:

- It is Friday evening and you have cashed your paycheck. You are carrying some of this cash, and are robbed while walking home.
- You are driving home, and another driver runs into the rear end of your vehicle, and then leaves the scene without providing any contact or insurance information.

After listening to the story, ask one half of the group to give reasons why they *would* call police for help. Have the other half give reasons why they *would not* call.

Facilitator's Note:

The legal situation used for this activity may be one provided by the facilitator or the group, and should reflect as well as possible a situation to which the group can relate, and respond.

Research suggests that immigrant workers including undocumented immigrants face an increased risk of victimization and have few outlets for dealing with crime. Undocumented migrant workers face an increased risk of being victimized due to opportunity (keeping large amounts of cash on personal self or in their residence) and their distrust/fear of anyone in the criminal justice system.

Transition
5 Minutes As a group, discuss briefly if there were more reasons given for or against contacting police, and possible reasons why this may be. Ask participants to keep these reasons in mind, both positive and negative, as they watch the Legal System video.

Video

8:07 Minutes (from beginning of video to end of dialogue with police officer, "...until an interpreter gets here. Do you understand?")

Segment One

Guaranteed rights under U.S. law, Title VI right to interpretation, communicating with English-speaking law enforcement officers.

Discussion—suggested questions to ask participants

8 Minutes

1. What role does a police officer or other law enforcement serve in the United States? How does this differ from the role an immigration officer plays?
2. What should I do if I am stopped for any reason by a police officer, and I do not have legal documents? What should I do if I do not speak English, and cannot understand or communicate with police?
3. With facilitator filling the position of police officer, have participants role-play scene depicted in the video. Participants may practice asking for interpretation, and/or utilizing the pocket cards for interpretation rights.

Facilitator's Tips:

- If appropriate, the group may wish to "log" or make notes of discussion points on a chalk board or flip chart. This can be used to keep track of legal rights, positive communication with law enforcement, etc.
- Distribute the "Rights to an Interpreter" card, invoking Title VI right to legal interpretation.
- More information about guaranteed rights under the law, and particularly Title VI legislation can be found through the Department of Justice Civil Rights home page (refer to link in Legal System-related Resources, Segment 1).

Video

8:08 – 15:10 Minutes (End with narrator saying, "...you should know if you are arrested for any reason.")

Segment Two

Driving and traffic violations, "reasonable cause," searches, driving under the influence.

Discussion—suggested questions to ask participants

8 Minutes

1. If you are stopped while driving, how should you respond? What should you know if you are driving without a license?
 2. What does the legal phrase “reasonable cause” mean? What should you do if you feel that you are stopped, or your car is searched, without reasonable cause, or if you are not provided with an interpreter when you request one?
 3. What are some of the consequences of driving while under the influence, and over the legal limit for alcohol? What is this violation called in your state, and what are the penalties?
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Video

15:11- 22:33 (Begin with narrator saying, “**Officers are obligated to...**” Go to the end of Luis Valdez’s concluding words “... **éxito en el norte.**” If you choose to show all the credits at the end, the length of this segment will be 7:22 minutes.)

Segment Three

Miranda and other basic legal rights, innocent until proven guilty, working effectively with a lawyer.

Facilitator’s Tips:

- Distribute the “Legal Rights Guaranteed to all U.S. Residents” pamphlet.
 - Also pass out the Legal Assistance Contacts sheet at the end of discussion.
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Discussion—suggested questions to ask participants

8 Minutes

1. What are “Miranda Rights”? How do they apply in my situation, if I am an immigrant, or if I am undocumented?
 2. Role-play being questioned by a police officer (group facilitator may act as police). Practice exercising all rights, Miranda Rights as well as the right to give only name and address, having an interpreter available, making a phone call, etc.
 3. If I need a lawyer, how can I help him or her with my legal case? How can an arrest or other legal situation affect my immigration case or status, and how can I help protect this status?
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Conclusion & Follow-up

8 Minutes

The last few minutes of the discussion can be used to thank members for their participation, reinforce important concepts, and ensure that participants know where and how to access legal assistance if the need arises. Wrap-up might include one or two of the following:

1. Highlight benefits of this group time and information learned.
2. Ask participants to think about their original debate, and compare how their response to a legal situation may or may not differ, after watching this video. Have any of your ideas about law enforcement and U.S. law changed since viewing this video and participating in the discussion?
3. If I am in need of help, who will/ should you call? How does the U.S. legal system differ from the laws and legal processes in my home country?
4. Are there ways to advocate for improved legal services, or improved communication with local police and other law enforcement officials?

Facilitator's Tips:

- Facilitator and participants may wish to plan further sessions to continue discussion or advocacy efforts, or to invite law enforcement representatives.
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