

Key Terms

CARC: Huckleberry Community Assessment and Referral Center: A community based alternative, CARC provides youth, on the day of arrest, with an assessment and crisis intervention as well as a case management plan that may include community service requirements and educational development. CARC is located at **44 Gough Street, San Francisco, CA 94102; Tel: 415-437-2500.**

Juvenile Justice Center (JJC): Formerly called the Youth Guidance Center (YGC), the Juvenile Justice Center includes Juvenile Hall (a locked facility for juveniles), Juvenile Court, the Juvenile Probation Department and community organizations. JJC is located at **375 Woodside Avenue, San Francisco, CA 94127; Tel: 415-753-7800.**

Consensual Contact: An encounter with police where you are free to leave at any time. You can ask an officer if you are free to leave or being detained. You are free to answer or ignore an officer's request for information.

Detention: If an officer believes you are involved in criminal activity, you can be temporarily "detained" while the officer investigates. You are not free to leave during a detention. If the officer cannot confirm their suspicion, you will be released. *(Detention is also used to describe being held in secured custody at juvenile hall.)

Booking: After an arrest, you may be taken to juvenile hall or a police station, searched, photographed, fingerprinted and asked for information such as name, address, and parent's phone number.

Miranda Warnings: If you are arrested and under the age of 18, an officer needs to inform you of your Miranda Warnings:

1. **You have the right to remain silent.**
Do you understand?
2. **Anything you say can be used against you in court.**
Do you understand?
3. **You have the right to the presence of an attorney before and during any questioning.**
Do you understand?
4. **If you cannot afford an attorney, one will be appointed for you free of charge, before any questioning, if you want.**
Do you understand?

Definition of Terms

1. **Afford:** Able to pay for.
2. **Anything:** Doesn't matter what.
3. **Attorney:** Lawyer, provide legal opinion and services.
4. **Before:** Earlier in time.
5. **May:** Is likely to.
6. **Say:** To tell or speak.
7. **Questioning:** What is asked.
8. **Right(s):** Legal claim(s).
9. **Used:** Made use of.
10. **Court:** Where judge rules.

In California, prior to a custodial interrogation (custody), and before the waiver of any Miranda Warnings, a youth 15 years of age or younger shall consult with legal counsel in person, by telephone, or by video conference. This consultation may not be waived until the youth has consulted with a lawyer. If the youth cannot hire a lawyer one will be provided free of charge. If you aren't sure if you should talk, tell the officer you would like to speak to a lawyer before answering questions.

WHAT IF I DON'T UNDERSTAND ENGLISH?

You have the right to talk with the police in your own language. If you are not comfortable speaking English, you can ask to speak with a bilingual officer or an interpreter. The Police Department provides FREE language assistance.

For more info: See SFPD DGO 5.20 or the Guide to Language Assistance Services brochure available at your local police station or <http://sf-police.org/index.aspx?page=1581>

Issued by
The San Francisco Police Department in collaboration with
The Juvenile Justice Coalition

The Juvenile Justice coalition is a network of advocates that includes: Asian Law Caucus, Bayview Hunters Point Foundation Youth Services Program, Bernal Heights Neighborhood Center (BHNC), Young Women's Freedom Center, Center on Juvenile and Criminal Justice (CJJC), Central American Resource Center (CARECEN), Chinatown Child Development Center (SFDPH/CBHS), Community Youth Center of San Francisco (CYC), Each One Reach One (EORO), Huckleberry Community Assessment & Referral Center (CARC), Instituto Familiar De La Raza, Inc., Legal Services for Children (LSC), Mission District Re-entry Center for Youth (MDRCY), Department of Police Accountability (DPA), SAGE Project, Inc., San Francisco Department of Children, Youth and Families, San Francisco Juvenile Probation Department, San Francisco Public Defender's Office, San Francisco Wraparound Project, San Francisco Youth Commission, Sunset Youth Services, United Playaz, Youth Guidance Center Improvement Committee, Youth Law Center (YLC).

QUESTIONS/COMMENTS/CONCERNS?

SFPD Community Engagement Division
3401 17th Street
San Francisco, CA 94110
Tel: (415) 558-5500

If you have questions or concerns, please ask the police officer or ask to speak to the officer's supervisor. If your concern is not addressed, you can file a complaint with the Police Department or the Department of Police Accountability (DPA). The DPA is an independent city agency that will investigate your complaint.

Department of Police Accountability
25 Van Ness Ave. Suite 700
San Francisco, CA 94102
Tel: (415) 241-7711
Fax: (415) 241-7733
<https://sfgov.org/dpa/>

Know Your Rights for Youth In San Francisco



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**The San Francisco Police Department
seeks partnership with families,
schools and youth providers to prevent and
solve problems affecting
children and youth.**



Safety with Respect

For JUVENILES detained, arrested, or taken into custody, the SFPD follows the guidelines of Department General Order 7.01, SB 395 and 625.6 W&I

You can read the SFPD Department General Order 7.01 on our website at:

sanfranciscopolice.org

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MUTUAL RESPECT AND SAFETY

For your own safety, remember to:

- Stay calm. Even if you are scared or upset, losing your temper may only make a situation worse.
- Keep your hands where the officer(s) can see them at all times, so it is clear that you do not pose a danger. AND
- Do not run.

When a crime is first reported, police officers are often provided with limited information. Unfortunately, this means that sometimes officers might question people who are not involved.

You are able to file a complaint later if you feel your rights were violated, but getting upset can make matters worse. The more you are able to show restraint and respect, the safer you and those around you will be.

WHAT HAPPENS IF I AM STOPPED ON THE STREET?

GET HOME SAFELY TIPS....Safety with Respect

- If you are inside a vehicle at night turn your interior dome lights in the "on" position. Have your license and registration ready to provide to the officer. If the vehicle registration is inside the glove box, advise the officer of your intention to retrieve the document(s). Remain calm and be respectful. If you are being issued a citation, sign the citation. You can protest the ticket later. You may also request the citing officer's name and star/badge number.
- The officer may ask you for basic information (name, age, etc.) prior to reading you your Miranda Warnings. Although it is not required by law, by providing basic identification information, you may be released or identified as a juvenile more quickly.
- If the officer has "reasonable suspicion" that you have committed a crime, you can be "detained" temporarily while the officer investigates, and you are not free to leave.
- If the officer finds that you were not involved in criminal activity, you will be released.
- If an officer has "probable cause" to believe you committed a crime, you may be handcuffed and arrested.

WHAT HAPPENS DURING A SEARCH?

- If officers think you are armed or dangerous, they may pat down your clothing and search you for weapons.
- You will be searched by an officer of your same gender unless it is an emergency. However, if the juvenile is TGN, the juvenile may elect the preferred gender officer to perform the search.



WHAT HAPPENS IF I AM ARRESTED?

- You may be handcuffed depending on the type of crime you are charged with, your age and size, and if the officer determines that you may pose a security risk.
- If you are arrested, you will be brought to the Community Assessment and Referral Center (CARC) or the Juvenile Justice Center. In an emergency, you may be brought to a police station.
- Within 30 minutes of being taken into custody, an officer will read you your Miranda Warnings (*see Key Terms & Definition of Terms*).
- Once you are brought to CARC, juvenile hall (33C), or a police station, the police will notify your parent/guardian that you are in custody.

WILL MY PARENTS BE NOTIFIED?

- If you are taken into custody, the police will notify your parent or guardian and tell them:
 - ✓ Where are you being held
 - ✓ The reason for your custody
 - ✓ That you have been read your Miranda Warnings.
 - ✓ That you and your parent can speak with one another

- Barring exigent circumstances, within **1 hour** of custody, you have the right to make two phone calls to reach a parent, an adult guardian/caretaker, and/or a lawyer.

WHAT IF POLICE WANT TO QUESTION ME?

- Before FORMAL questioning, police must inform you of your Miranda Warnings (*see Key Terms & Definition of Terms*). Only if you give up your Miranda rights, can police question you. You can choose not to be questioned or to be questioned with a lawyer present.
- If you are not comfortable speaking English, Miranda Warnings will be read to you in your primary or preferred language by a certified and/or qualified bilingual member or interpreter. (This also applies to all written forms.)
- The officer will also tell you that you can have a parent or guardian present during questioning unless they are a suspect or witness in the crime or if it's an emergency.
- Make sure you tell the officer if you want your parents to be present during questioning.
- Only two officers at any given time will question you.
- All interrogations will be audiotaped, except for those in the field and in exigent circumstances.