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03/21/19

Revised Brochures
Know Your Rights for Youth in San Francisco
Guide to Language Assistance Services

The Know Your Rights for youth brochure (SFPD 535) has been revised to clarify the following:

- Senate Bill 395 enacting revisions to California Welfare & Institutions Code Section 625.6
- Definition of terms
- Get home safely tips....Safety with Respect
- Searching a Transgender, Gender-Variant and Nonbinary (TGN) juvenile

Any time a juvenile is arrested, Department members shall provide the juvenile arrestee with a copy of the San Francisco "Know Your Rights for Youth" brochure and shall document that fact in the incident report.

This tri-fold is available in English, Spanish, Chinese, Russian and Tagalog at the Juvenile Justice Center, Community Assessment and Referral Center (CARC) and on the Department's website. Members shall provide the language-appropriate brochure to the juvenile arrestee.

The Guide to Language Assistance Services brochure (SFPD 523) has been updated with contact information and is available in the core languages on the Department's website and in the forms folder.

Members assigned to the Airport Bureau shall follow San Mateo County protocols related to notifications for incidents reported at the San Francisco International Airport.


WILLIAM SCOTT
Chief of Police

Per DB 17-080, both sworn and non-sworn members are required to electronically acknowledge receipt and review of this Department Bulletin in HRMS.

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 (CJCJ), 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).

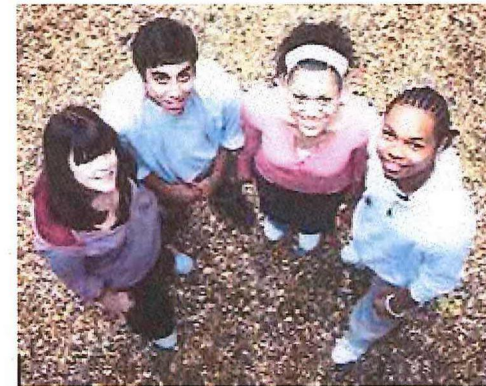
QUESTIONS/COMMENTS/CONCERNS?

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

JANUARY 2019

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.

MISUNDERSTANDINGS
CAN HARM THE SAFETY
OF OFFICERS AND THE
PUBLIC!

**I KNOW SOME ENGLISH.
DO I REALLY NEED AN
INTERPRETER?**

You may understand or speak some English, but you may still want an interpreter. Interpreters can help you:

- Prevent misunderstandings.
- Give accurate information.
- Understand your legal rights.
- Request services such as victim's services & translated forms.

**WHO CAN OBTAIN
LANGUAGE SERVICES?**

Language services are provided to anyone who is a limited English proficient (LEP) person. This means that English is not your primary language and you may have difficulties reading, speaking or understanding English.

**WILL I BE CAUSING
INCONVENIENCE OR
PROBLEMS IF I ASK FOR
AN INTERPRETER?**

Everyone has the right to effective and accurate communication with the police, and SFPD wants to assist.

Produced By
The San Francisco Police Department
in cooperation with
the Language Access Coalition

The Language Access Coalition is a network of language access advocates that includes the American Civil Liberties Union of Northern California, Asian Law Caucus, Asian Pacific Islander Legal Outreach, Asian Pacific Islander Youth and Advocacy Network, Bay Area Immigrant Rights Coalition, Chinese for Affirmative Action, Community Youth Center, Immigrant Legal Resource Center, La Raza Centro Legal, Lawyers' Committee for Civil Rights, Mujeres Unidas y Activas, Legal Services for Children, Department of Police Accountability, People Organizing to Demand Environmental & Economic Rights, Safety Network Program, San Francisco Department on the Status of Women, San Francisco District Attorney's Office, San Francisco Immigrant Rights Commission, San Francisco Public Defender's Office, San Francisco Youth Commission, Sunset Neighborhood Beacon Center, and Youth Law Center.

QUESTIONS/COMMENTS/CONCERNS:

SFPD's Language Access Liaison Officer
3401 17th Street
San Francisco, CA 94110
Tel: (415) 558-5487

or

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

**GUIDE TO
LANGUAGE
ASSISTANCE
SERVICES**



Safety with Respect

**SAN FRANCISCO
POLICE DEPARTMENT
PROVIDES FREE
LANGUAGE SERVICES**

Language assistance for limited English proficient (LEP) individuals is a free service that is part of SFPD's community policing and enforcement efforts and Department General Order 5.20.

SFPD's GOAL IS TO
PROVIDE TIMELY AND
ACCURATE
COMMUNICATION

**HOW DO I OBTAIN
LANGUAGE SERVICES?**

If you can speak some English:

1. Try to tell the officer you need an interpreter in your language. **Say, "I would like an interpreter, and I speak [language or dialect]."**
2. The officer may also have you identify the language you speak, using a Language Identification Card that lists many different languages.
3. **Find the language you speak on the card and point it out to the officer.**
4. The officer will then call for a qualified bilingual officer or a telephone interpreter to help.

If you speak no English:

1. The officer will show you a Language Identification Card.
2. **Find the language you speak on the card and point it out to the officer.**
3. The officer will then call for a qualified bilingual officer or a telephone interpreter to help.

**WHAT IF I DO NOT
SPEAK A COMMON
LANGUAGE?**

SFPD has access to telephone interpreters who speak many different languages, including Tagalog, Vietnamese, Hindi, Korean, Japanese, German, French, Italian, and many more!

**SFPD WILL PROVIDE
LANGUAGE SERVICES
WHEN YOU TALK WITH
A POLICE OFFICER**

**CAN MY CHILD, RELATIVE,
OR A BYSTANDER
INTERPRET FOR ME?**

- SFPD officers will not use children, family, or bystanders unless there is an emergency. Emergencies include a threat to life, safety, or property.
- As soon as the emergency ends, the SFPD officer will go back to using an approved interpreter and use that interpreter to check the accuracy of the initial interpretation.
- Your child, relative, or a bystander, may not know the right vocabulary to interpret for you.

**WHAT KIND OF
LANGUAGE SERVICES
DOES SFPD PROVIDE?**

- Qualified bilingual officers who speak Spanish, Cantonese, Mandarin, and Russian.
- Access to interpreters through a telephone interpreter system for all other languages (such as, Tagalog, Vietnamese, Hindi, etc.) or if a qualified bilingual officer is not available.
- Your rights ("Miranda Rights") will be read to you in your primary language by a qualified bilingual officer or telephone interpreter.
- Interviews with the police will be conducted in your primary language by a qualified bilingual officer or telephone interpreter.
- Written forms will be provided or read to you in your primary language by a qualified bilingual officer or telephone interpreter.

**SFPD'S LANGUAGE
ASSISTANCE IS ESPECIALLY
IMPORTANT WHEN YOU ARE:**

1. Interviewed by officers.
2. Read your Miranda Rights.
3. Given forms to fill out.
4. Formally questioned.