

WALKING WHILE TRANSGENDER IS NOT A CRIME!

General Safety Tips:

- * Some people have called 911 while they were being harassed by the police and felt unsafe. This ensured that the exchange was documented and recorded for use later in court. Other people have discreetly recorded the conversation on their cell phones or called someone so they could listen as a witness to the conversation.
- * Know your surroundings- if you are stopped by the police and feel unsafe, look to see if there are any stores that are open, crime cameras or private security cameras, or other bystanders.
- * Remember, the police don't always have to truthfully answer you, but *you can't lie to the police!*
- * If you are at the store and fear you may be stopped on your way home, ask the store clerk for your receipt and carry it with you.

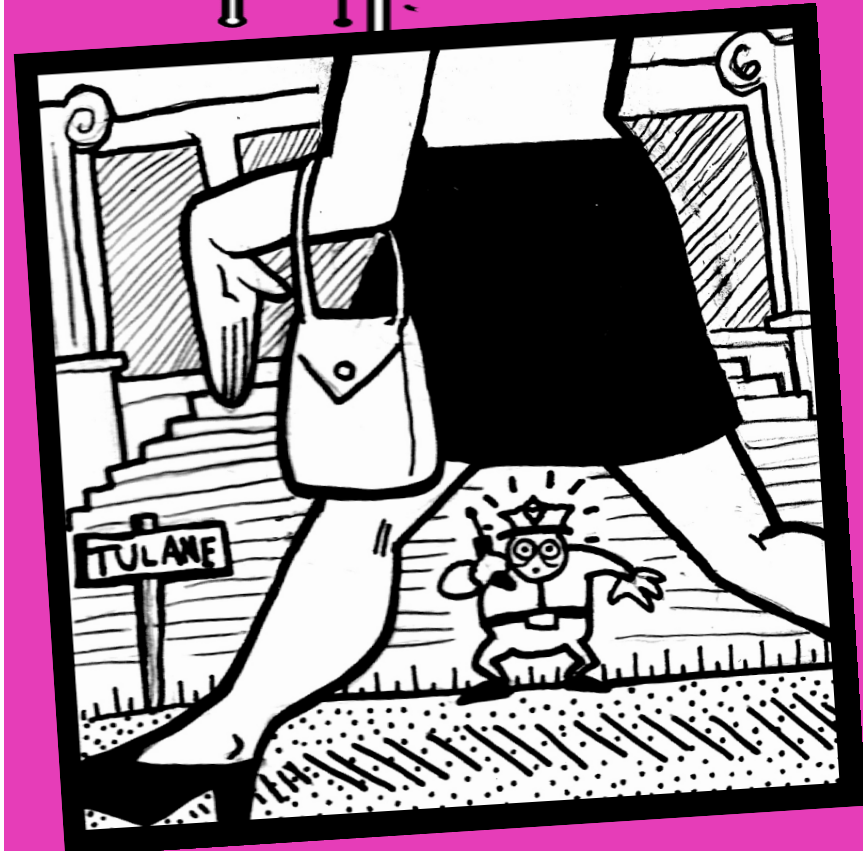
IMPORTANT NUMBERS FOR MORE INFORMATION:

New Orleans Independent Police Monitor (504) 681-3217
Orleans Public Defenders (504) 821-8101
Juvenile Regional Services (504) 207-4577

This is not legal advice. Always consult a lawyer.

BreakOUT! / 1001 S. Broad St. #217 / NOLA 70125
(504) 473-2651 www.youthbreakout.org

YOUR GUIDE TO STREET SAFETY & PRESERVING YOUR RIGHTS WITH THE POLICE

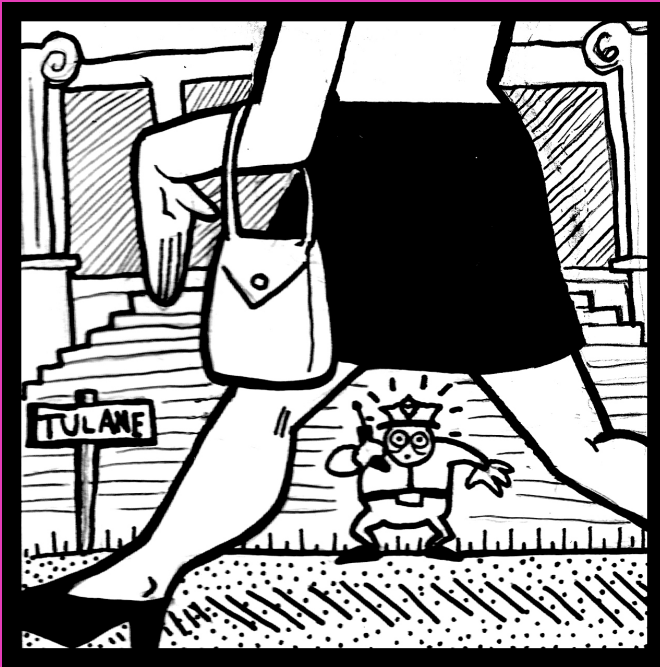


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Featuring art by Tommy LeBlanc

IF YOU ARE STOPPED BY THE NOPD...



Politely ask the officer why they stopped you. If the officer does not respond to you and you end up being arrested, this could help you later in court.



GOOD TO KNOW: Chief Ronal Serpas has publicly announced that all NOPD officers are instructed to tell you why they stopped you. (NOPD Newsletter "Communiqué" 2/12/12 edition.)

A NOTE ON "WALKING WHILE TRANSGENDER":

"Walking while transgender" is not reasonable suspicion to stop you. However, the police may say that walking in a short skirt in a "known prostitution area" is.

LGBTQ? Age 13-24? Experience with the system? Come to a "Building Our Power" meeting every Wednesday at 6pm!

IF AN OFFICER WANTS TO SEARCH YOU OR YOUR STUFF...



Politely say to the officer, "I do not consent to this search." Although the officer may search you anyway, this could help you later in court.



GOOD TO KNOW: The 4th Amendment protects you from unreasonable search and seizure. If an officer searches you illegally, it can later be used in court.

IF YOU ARE UNDER ARREST...

You should probably stop talking altogether. Everything you say will be used against you. You may remain silent until you have the opportunity to speak with your lawyer.



GOOD TO KNOW: The 5th Amendment guarantees your right against self-incrimination (giving information about yourself that could get you in trouble) and affords you your right to **REMAIN SILENT**.

IF AN OFFICER IS DISRESPECTFUL TO YOU...

Remain calm. Try not to escalate the situation, make sudden movements, or talk back to the officer.



You may ask the officer to use the proper name and pronoun to refer to you, even if it is not what is on your I.D.



GOOD TO KNOW: *BreakOUT!* is working to get a LGBTQ policy in the NOPD that says that NOPD officers have to call you by the name and pronoun that you prefer. In the meantime, they still have a Courtesy Policy that says they must be courteous, civil, and respectful in their conduct toward all persons.

It also says that the use of profane, vulgar or discourteous gestures or language in the presence of any



BreakOUT! members with a **BreakOUT!** I.D. card can show it to the police. While it does not replace a legal I.D., it may be a good first step in communicating with an officer and exercising your rights.

IF THE OFFICER CONTINUES TO TALK TO YOU BUT HAS NOT GIVEN YOU A REASON FOR STOPPING YOU...

Politely ask the officer, "Am I free to go?"

IF THE OFFICER SAYS NO...

Politely ask, "Am I under arrest?"

IF THE OFFICER SAYS YES...

Politely ask, "What is the charge?"



GOOD TO KNOW: It's important to understand that the police are not required to answer you when you ask if you are free to go. They may continue asking questions. Legally, you may walk away- but it is up to you to decide if it will be safe to do so. If they physically attempt to detain you, do not resist. Tell your lawyer exactly what happened later.

Florida v. Royer states that while it is legal for the police to target and approach a person based on their behavior, they cannot detain an individual without a warrant.

WHEN SHOULD I REPORT ENCOUNTERS WITH THE NOPD?

WHENEVER you are stopped and the police don't give you a reason for stopping you.

WHENEVER you are searched inappropriately.

WHENEVER the police disrespect you or don't call you by the right name or pronoun, even after you've told them.

We want to hear about when officers do something right, too. If an officer is particularly respectful, let us know!

WHY SHOULD I REPORT PROBLEMS WITH THE NOPD? IT WON'T CHANGE ANYTHING.

Every time you report a specific example or story about the NOPD, you are helping to **build our power**. *BreakOUT!* can use these stories to help advocate for policy changes and training. We can also advocate for disciplinary action to be taken against officers if the infractions are serious enough.

HOW CAN I REPORT ENCOUNTERS WITH THE NOPD?

Have you taken our NOPD survey?
Call us for more info!

Report issues to *BreakOUT!* :

- Call (504) 473-2651
- Come to our space at 1001 S. Broad St. #217 (M, W, F)
- File them online at www.youthbreakout.org
- Facebook us at www.facebook.com/youthbreakout
- Tweet us @youthBreakOUT

*** You can report all complaints anonymously! ***

THE POLICE ARE GOING TO STOP ME ANYWAY. WHY IS IT IMPORTANT TO KNOW MY RIGHTS?

BECAUSE things will never get better if we don't start exercising our rights and advocating for ourselves when it is safe to do so.

BECAUSE even if it doesn't prevent us from being arrested, it can help us beat our charges later in court.

BECAUSE we deserve to be safe, respected, and treated with dignity.

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YOUR GUIDE TO STREET SAFETY & PRESERVING YOUR RIGHTS WITH THE POLICE



2014 Edition with Updates
from Policy 402!

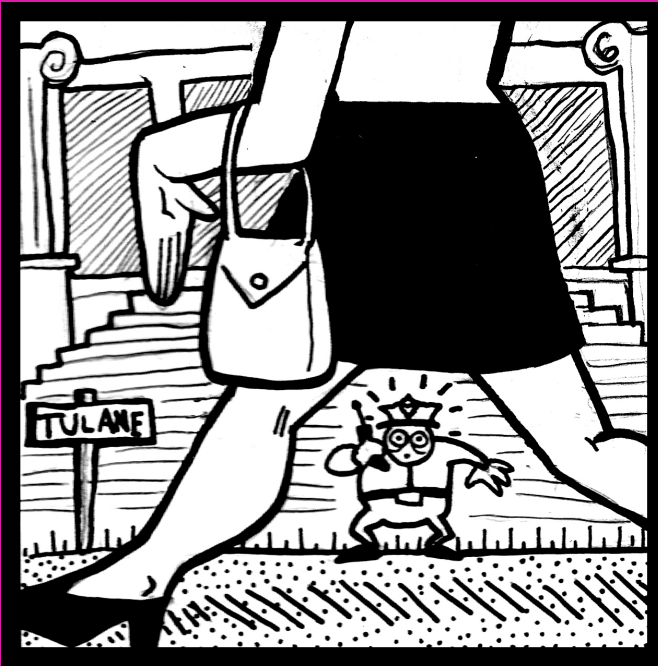


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LGBTQ? Age 13-25? Experience with the system? Come to a "Building Our Power" meeting every Wednesday at 6pm!

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Policy 402 states that officers should NOT subject transgender individuals to more invasive

or more frequent frisk procedures or frisk any person for the purpose of determining that person's biological sex.



GOOD TO KNOW: The 4th Amendment protects you from "unreasonable search and seizure." But, **YOU HAVE TO SAY IT OUT LOUD.** Just being quiet is the same as consenting to a search.

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GOOD TO KNOW: Policy 402 states that **officers have to use your chosen name and pronoun.** If an officer isn't sure what you would like to be called, they're supposed to ask if in a polite and professional manner.

Policy 402 also states that *when doing a same-gender search*, officers have to respect your gender identity. **So if you're a transwoman, you can request a female officer to search you.**

Gender searches are never allowed.

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WHERE CAN I READ ABOUT NOPD POLICIES?

You can read Policy 402 at www.tinyurl.com/Policy402

OR just scan this code!



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* If you are at the store and fear you may be stopped on your way home, ask the store clerk for your receipt and carry it with you.

* Our goal is always to make the interaction with the police as short and safe as possible- the number one priority is YOUR safety! Trust your instincts.

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WANT BREAKOUT! TO COME DO A FREE KNOW YOUR RIGHTS TRAINING WITH YOUR COMMUNITY GROUP OR SCHOOL? HIT US UP!

**BreakOUT! / 1001 S. Broad St. #119 / NOLA 70125
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**YOUR GUIDE TO STREET SAFETY
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2016 Edition with Updates
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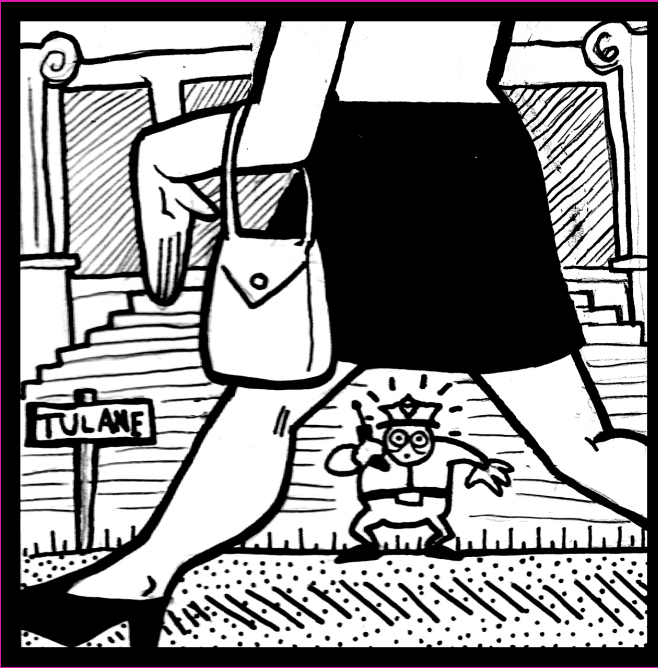


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GOOD TO KNOW: *There are lots of different law enforcement agencies in New Orleans- especially in the French Quarter. Each agency has their own policies but no matter if you're stopped by state troopers, off-duty police like the private patrols, or even Immigration and Customs Enforcement (ICE), you can ALWAYS ask why you were stopped, not consent to any searches, and REMAIN SILENT if questioned.*



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LGBTQ? Age 13-25? Experience with the system? Become a member of BreakOUT! Hit us up for more info!

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More Know Your Rights info for LGBTQ youth at www.getyourrights.org



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BECAUSE there are things we can say or do to help make our interactions with the police as short as possible and get away safely.

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**CAMINAR POR LA CALLE SIENDO
TRANSGENERO NO ES UN DELITO**

Consejos Generales De Seguridad:

* Algunas personas han llamado al 911 mientras estaban siendo acosados por la policía y se sentían inseguras. De esa manera sabían que la conversación estaría siendo grabada para su posterior uso en los tribunales. Otras personas han grabado discretamente la conversación en sus teléfonos celulares o han llamado a alguien para que pueda escuchar la conversación como testigos.

* Conoce tus alrededores: si te para la policía y no te sientes segura, fíjate si hay una tienda abierta, si hay cámaras para parar el crimen o cámaras de seguridad privadas u otras personas presentes.

* Recuerda que la policía no siempre tiene que contestar con la verdad aunque tú no le puedes mentir a la policía.

* Si usted está en una tienda y temé que puedan pararlo en camina a casa pida el recibo y llévelo en su mano.

* Nuestro objetivo es siempre hacer que la interacción con la policía sea lo más corta y seguro que sea posible. La prioridad número 1 es su seguridad. Confía en tus instintos.

*ESTO NO ES UN CONSEJO LEGAL. SIMPRE CONSULTE
UN ABOGADO.*

**QUIERE BREAKOUT! VENIR HAVER UNA FORMACION GRATUITA
CON SU COMUNIDAD EONOCEN SUS DERECTOS EN GRUPOS O
ESCUELAS.**

**BreakOUT! / 1001 S. Broad St. #119 / NOLA 70125
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**SU GUIA PARA LA SEGURIDAD EN LA CALLE Y
LA PRESERVACIÓN DE SUS DERECHOS CON LA
POLICIA**

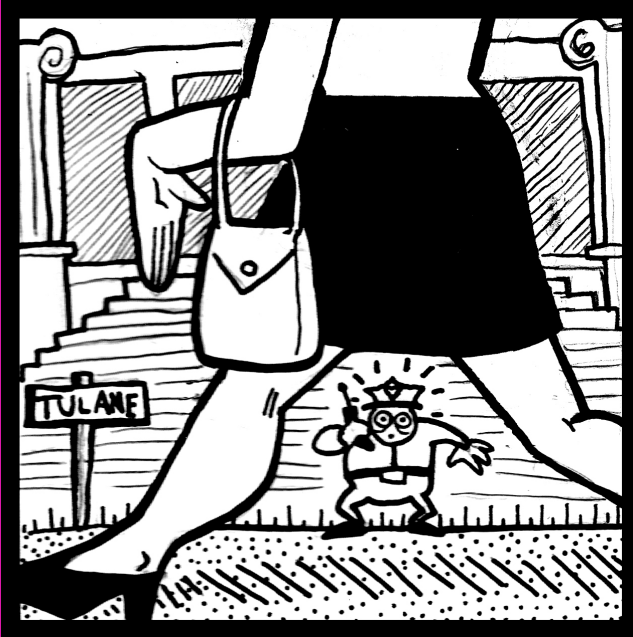


Traido a usted

BREAK ★

Arte de Tommy LeBlanc

SI USTED ES DETENIDO POR NOPD...



Cortezment e pregunta al oficial por qué le detuvo. Si el oficial no le responde y usted termina siendo detenido esto le puede ayudar más adelante en los tribunales.

ES BUENO SABER: Hay muchas agencias diferentes encargadas de hacer cumplir la ley en Nueva Orleans, especialmente en el barrio Francés. Cada organismo tiene sus propias políticas. Pero no importa si usted es detenido por la policía estatal, las patrullas privadas o incluso la migración (ICE). SIEMPRE se puede preguntar porque ha sido detenido, no aceptar una revisión de sus pertenencias y permanecer en silencio y permanecer en silencio si lo interrogan.



UNA NOTA SOBRE "CAMINAR MIENTRAS ERESTRANGENERO":

"Caminar mientras erestrangenero" no es una sospecha razonable para detenerlo. La policía de Nueva Orleans establece que la política 402 "Los agentes no utilizaran individuos con identidad de genero real o percibida o orientacion sexual como sospecha razonable o causa probable de que el individuo es o ha participado en algun delito." (Leer mas en www.tinyurl.com/Policy402)

LGBTQ? Edades 13-25 Anos? Experiencia con el sistema? Combirtirse en un miembro de BreakOUT! Contactanos para mas informacion!

SI UN OFICIAL QUIERE REGISTRARTE A TY O TOS PERTENCENCIA



Dile cortesmente al oficial, yo no conciento a esta registracion aunque puede que el oficial lo register de todos modos. Decir esto podría ayudarle mas adelante en los tribunales.

La Política 402 establece que los oficiales no deben someter a las personas transgeneros procesos mas invasivos o más frecuentes que cualquier otra persona. Nunca pueden registrarro(a) para determinas su sexo biologico o genital.



BUENO SABER: La 4ª enmienda nos protege de revisiones o registros irrazonables pero hay que decir en voz alta que no aceptamos. El quedarse callado es lo mismo que aceptar que lo registren.

SI USTED ESTA BAJO ARRESTO

DEBE DEJAR DE HABLAR PORCOMPLETO. Todo lo que diga sera usado en su contra. Decir "Me gustaria permanecer en cilencion hasta que yo pueda tiablar con un abogado una vez que este en corte consiga un abogado.



ES BUENO SABER, la 5th enmienda garantiza el derecho ala no autoincrimacion (dado informacion sobre si mismo que pordria meterlo en problemas) que le Brinda so derecho en permanecer en cilencio.

SI UN OFICIAL ES IRRESPECTUOSO CON USTED...

Mantener la calma. Tratar de no agravar la situación, hace un movimiento brusco, o hablar de nuevo al oficial.



Usted puede pedir al oficial que utilice el nombre propio y el pronombre para referirse a usted, incluso si no es lo que esta en su identificación.



BUENO SABER: La política 402 establece que los agentes tienen que utilizar su nombre de preferencia o pronombre. Si un agente policial no esta seguro de lo a usted le gustaría ser llamado, se supone que tienen que preguntarle de una manera cortés y profesional cómo referirse a usted.

La política 402 también establece que *cuando se hace una revisión de tu cuerpo debe ser un oficial de tu mismo género. Así que si usted es una mujer-trans, puede solicitar una oficial mujer para que la registre.*

Búsqueda de genero para determinar su sexo o genero no están permitidos.

SI EL OFICIAL SIEGUE HABLÁNDOLE A USTED, PERO NO LE HA DADO UNA RAZÓN PARA DETENERLO ...

Cortesmente pregunta al oficial "Soy libre de irme?"

SI EL OFICIAL LE DICE QUE NO...

Cortesmente pregunta, "Estoy bajo arresto?"

SI EL OFICIAL DICE QUE SI...

Cortesment e pregunta, "cual es el cargo?"



BUENO SABER: Es importante entender que la policía no está obligada a decirte cuando te puedes ir. Te pueden seguir haciendo preguntas. Legalmente puedes irte pero es tu decisión si es seguro hacerlo. Si físicamente tratan de prevenir que te vayas, no te resistas. Después explíquele a su abogado qué sucedió.

Florida v. Royer establece lo que si bien es legal para la policia para atacar y acercarse a una persona en base a su comportamiento. Ellos no puedan detener una persona sin order judicial.

CUANDO DEBO REPORTAR UN ENCUENTRO CON LA POLICIA DE NEW ORLEANS (NOPD)?

CADA vez que es detenido y la policía no le da una razón de por qué.

CADA vez que usted es registrado o esculcado de manera inapropiada

CADA vez que la policía le falta al respeto o no te llaman por el nombre o pronombre correcto o te tocan inapropiadamente.

DONDE PUEDO LEER ACERCA DE LA POLICIA DE NUEVA ORLEANS NOPD?

Tu puedes leer la política 402 en www.tinyurl.com/Policy402

O simplemente escanear el código.

Más información correcta para los jóvenes LGBTQ en www.getyourrights.org/



COMO PUEDO REPORTAR UN PROBLEMA CON LA POLICIA DE NUEVA ORLEANS (NOPD)?

Reporté los problemas a *BreakOUT!* :

- Llamé al: (504) 252-9025
- Venga a nuestro espacio en 1001 S. Broad St. #119 (M-F)
- Contáctanos en línea en: www.youthbreakout.org
- Facebook o tweeter @youthBreakOUT

*** Puede reportar cualquier queja anonimamente!**

LA POLICIA VA A PARRARME O DETENERME DE TODO MODOS. POR QUE ES IMPORTANTE CONOCER MIS DERECHOS?

POR QUE las cosas nunca van a mejorar si no empezamos a ejercer nuestros derechos y abogar por nosotros mismos cuando es seguro hacerlo.

POR QUE hay cosas que podemos decir o hacer para ayudar a que nuestras interacciones con la policía sean lo más cortas posible y alejarse de forma segura.

PORQUE incluso si no nos impide ser detenidos, puede ayudar nos a pelear nuestros cargos luego en la corte.

PORQUE merecemos estar seguros, respetados, y tratados con dignidad.