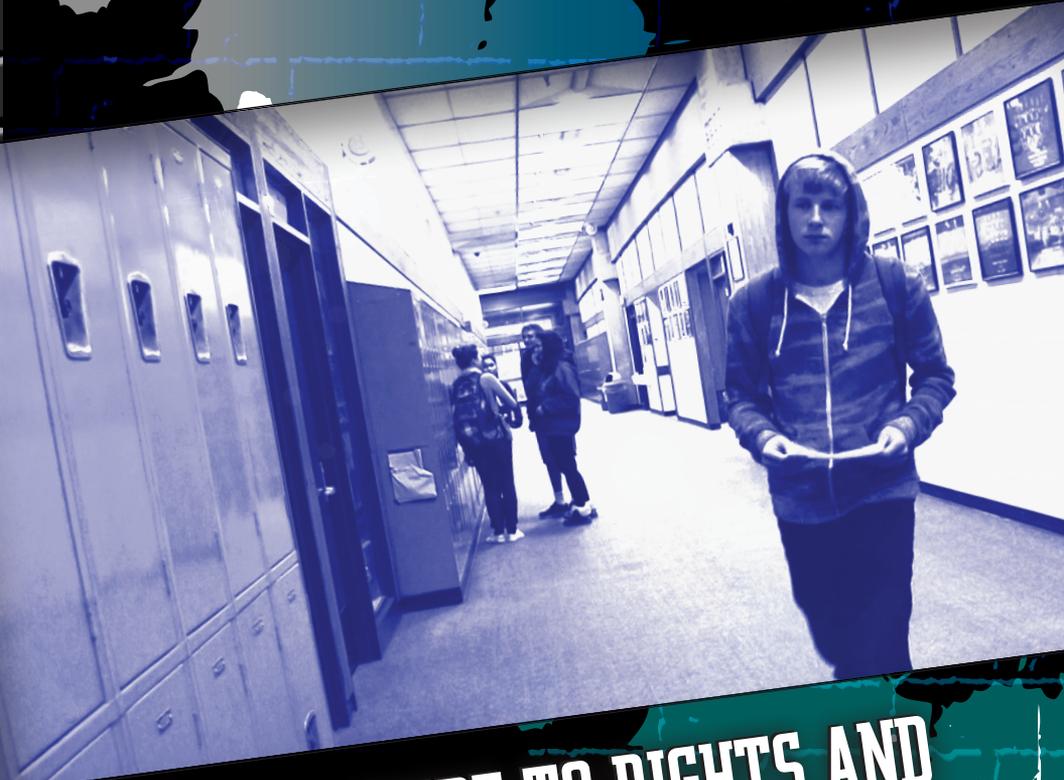


CITY OF KIRKLAND

RESPECT

GUIDE



A FIELD GUIDE TO RIGHTS AND RESPONSIBILITIES FOR TEENS

TABLE OF CONTENTS

- INTRODUCTION 3
- RIGHTS 4
- COMMUNICATION AND CONDUCT TIPS BETWEEN YOUTH & POLICE..... 5
- FORMAL COMPLAINTS..... 6
- PARTIES 6-7
- DRIVING..... 8
- INTERMEDIATE DRIVER'S LICENSE8-9
- TRAFFIC STOPS10-11
- TEEN TRAFFIC COURT13
- SEARCHES.....14-16
- ARRESTS 16
- LOITERING & TRESPASSING.....17
- TEEN DATING VIOLENCE.....18-20
- STALKING..... 21
- ON-LINE SAFETY22-23
- BULLYING/HARASSMENT...24-25
- DEFINITIONS26-30
- SERIOUS OFFENSES & CONSEQUENCES..... 30-32
- RESOURCES33-34



kirkland youth council



INTRODUCTION

Do you think the police in Kirkland have nothing to do? Do you think that they specifically target teens? Do you think cops enjoy giving out tickets & fines? In reality, our police department responds to over 4,000 calls every year and teens make up a small percentage of that. We teens can feel singled out based on what we drive, how we dress, and where we hang out. Officers are just doing their job which requires them to meet the high standards of safety and service that is expected by all Kirkland citizens.

The **RESPECT GUIDE** was developed as a result of police and teens working together and communicating with one another about how they feel and how their perspectives/experiences shape their reactions. This booklet will help bridge the gap between police and teens, misunderstandings of laws and how we are expected to act as a citizen in Kirkland. Take a look and learn about the respect that can be built between police and teens.



RIGHTS

■ YOUTH RIGHTS

1. Youth have the right to be treated equally and be protected by the law.
2. Youth have the right to learn, inquire about and understand the laws that pertain to them.
3. Youth have the right to dress and appear as they please as long as they don't break any laws.
4. Youth have the right to gather in groups as long as no law is broken.
5. Youth have the right to be treated with respect and courtesy, just as any other citizen does.

■ POLICE RIGHTS

1. Police have the right to go home at the end of their shifts, protect themselves and others.
2. Police have the right to be treated with respect and courtesy.
3. Police have the right to investigate crimes, evaluate probable cause and do their jobs.
4. Police have the right to normal interactions with people (see Informal Contact).

■ EXIGENT RIGHTS

Exigent Circumstances refer to situations that demands unusual or immediate action and allows officers to circumvent usual procedures. In other words, emergency conditions.

Exigent circumstances are said to exist when:

- (1) a person's life or safety is threatened
- (2) a suspect's escape is imminent, or
- (3) evidence is about to be removed or destroyed.

This is also termed as emergency circumstances or special circumstances.

COMMUNICATION AND CONDUCT TIPS BETWEEN YOUTH AND POLICE

Communication can be defined as the process of meaningful interaction among human beings. It is the act of passing information and the process by which meanings are exchanged to produce understanding. This holds true for people of all ages.

- Respect goes both ways. Treat others the same way you would like to be treated.
- Police should try to be reassuring and informative whenever possible; try to explain what is going on.
- Teens should try to understand that police are doing their jobs and welcome cooperation. If you have nothing to hide, you have no reason to be scared.
- When a police officer makes contact with teens, teens know exactly who they are dealing with; an officer doesn't. In order to protect themselves, officers must be on guard. They don't know who or what they will encounter. This approach may be intimidating to teens and may, in turn, elevate tension.
- Teens should stay where they are until an officer tells you can go. Don't run away, this will create suspicion. As with any citizen, police should not detain you any longer than necessary.
- Always be frank and straightforward.
- Teens should always be truthful and accurate when giving information.
- Officers should ask clear questions and not confuse teens (or any citizens).
- While being contacted by police, teens should keep their hands visible and not make any quick movements.



FORMAL COMPLAINTS

The Kirkland Police Department has a formal complaint process for those who feel that they have been mis-treated. Before filing a complaint, be sure to ask yourself the following questions:

- Did you do or say anything that might have been misinterpreted?
- Did the officer respond to any real or imagined threat when they were dealing with you?
- Were you respectful toward the officer throughout the contact period?

PARTIES

Attending a party where alcohol is served, whether or not you choose to drink, is a risk. Besides the potential negative effects of alcohol/drugs on your body, your safety may be at risk. Did you know that parents who host an underage drinking party can end up serving time in jail and paying fines? Simply put, parents who host, allow, or fail to prevent underage drinking, are taking the risk of spending time in jail.



PARTIES

Things to keep in mind if you are attending a party and the police arrive:

- Police response is normally complaint driven, meaning someone called 911. Kirkland officers are REQUIRED to respond to ALL 911 calls.
- Officer entrance into a residence is voluntary on the part of the resident unless there are extenuating circumstances (i.e. someone is in immediate danger).
- The safety of friends should be a priority over the fear of getting in trouble. If someone needs aid (i.e. intoxicated, injured) or the party is out of control, immediately call 911 for help. Never leave an intoxicated person alone to “sleep it off”. The consequences of not calling for help can be more severe than the consequences of breaking the law. Memories of a trip to the police station will fade with time; the memory of a friend dying will not.
- Officers have some discretion when it comes to parties. Each officer is different and will respond in their own way. If you are directed to leave, make sure you do it safely, go with sober drivers and don't let drunk people drive.
- Property owners (i.e. parents) are still liable for property damage, accidents, criminal activity and underage drinking even if they aren't at home.
- Simply providing a location that alcohol can be consumed by minors (even if it is not provided), could result in a conviction of a misdemeanor crime, fines and time in jail.
- Be cooperative. Underage drinking is illegal. Keep in mind that officers don't make the laws, but it is their job to enforce them.

What if I am caught drinking or attending a party where alcohol is served?

- Your parent/guardian can be called to come and get you.
- You may be cited for Minor in Possession (see definition of MIP). If you are under 15, receiving a citation for MIP will affect your ability to get your driver's license.

DRIVING

Driving is not a constitutional right. You get your driver's license based on the skills you have and the rules you agree to follow. After you get your driving license you must continue to demonstrate your ability to drive safely on the road. If you fail to demonstrate this ability, you will be issued traffic tickets or even have your license suspended or revoked. No one has more right to the road than anyone else. If you're going to drive, you owe it to the other drivers and yourself to operate the vehicle in a safe manner.

INTERMEDIATE DRIVERS LICENSE

Washington State enacted the intermediate driver's license law in July 2001. This was done in an effort to help teens drive more responsibly, reduce the incidents of injury and fatal accidents. Officers enforce this law as a secondary action. This means that if you are stopped for a traffic offense and you are in violation of any of the restrictions, the officer can cite you for breaking the law.

Before getting a license, teens must:

- Be at least 16 years old.
- Have held an instruction permit for at least six months.
- Have had at least 50 hours of supervised driving with someone who has been licensed for five years or more. This includes 10 hours at night.
- Not have been convicted of any alcohol or drug offense while holding the instruction permit.

What are the restrictions?

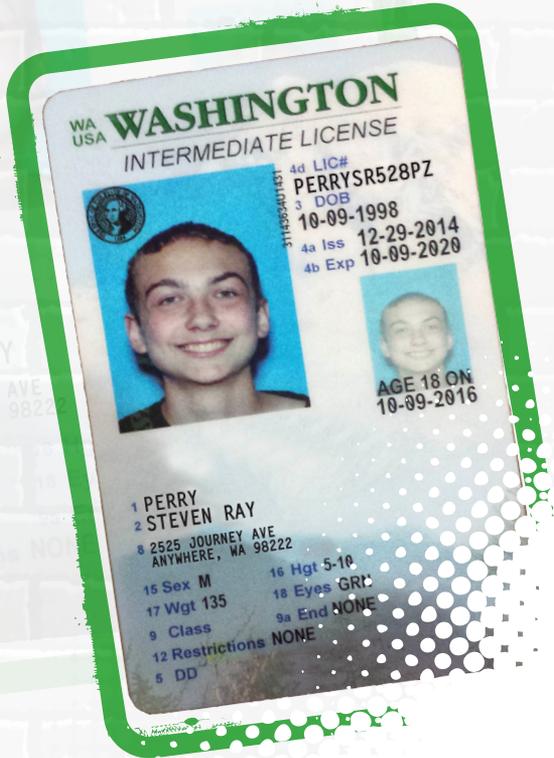
- For the first six months, you cannot drive with anyone under the age of 20 unless they are members of your immediate family. Immediate family is defined as spouse, child, step child, and siblings. This does not include cousins.
- For the next six months, you may not carry more than three passengers under the age of 20 (excluding family members).
- For the first 12 months, you cannot drive between 1-5AM unless you are with a licensed driver 25 years or older.

If, after 12 months, you followed these rules and did not get in an accident or get a ticket, you will be able to drive without restrictions.

INTERMEDIATE DRIVERS LICENSE

So I got a ticket. What happens now?

- You will receive a warning letter from the Department of Licensing.
- If you get two tickets, you will be sent a letter that suspends your driving privileges for six months (or until you turn 18, whichever comes first).
- If you get three tickets, your license will be suspended until you are 18 years old.
- Your parent/guardian will receive copies of any and all notices sent to you by the Department of Licensing.
- Drinking and driving can result in being stopped and arrested for DUI (see definition of DUI).
- You may just receive a warning.



TRAFFIC STOPS

Things to keep in mind if you are stopped by a police officer while driving:

1. Try your best to relax! In most cases the officer will tell you why they stopped you. If they don't automatically tell you, ask politely and provide the officer with the paperwork they request. It is your responsibility as a driver to make sure that your vehicle meets all equipment requirements, that you have a driver's license on you, proof of insurance and vehicle registration. These are all required even if the car you are driving doesn't belong to you.
2. It is normal for an officer to not be able to tell what a driver looks like (age, sex, race, etc.) before they are pulled over. This is even more true at night. Additional officers routinely respond to stops to make sure everything is alright. It is not unusual to see two or three patrol cars at a normal traffic stop. Statistically, vehicle stops are the most dangerous part of a police officer's job; the officer stopping the vehicle does not know if they are stopping someone for a mere traffic violation, or if they have a warrant out for their arrest as well.



TRAFFIC STOPS

3. If you are stopped late at night, expect the officer to be more cautious and suspicious. Turn on an interior light for visibility and safety. Keep your hands where the officer can see them. Officers understand that you will most likely need to get into your glove compartment, consol, wallet, purse, etc. to get the necessary paperwork. Wait until the officer asks for these items before you start to get them. Try to remember that you know who is contacting you, but the officer has no idea who you are and what your intentions are.
4. If there are lots of people in the car that has been stopped, the officer will likely ask for additional police assistance for everyone's safety.
5. If you are driving a vehicle or are a passenger in violation of a traffic law (i.e. seatbelt), you are required to provide identification.
6. If you are issued a ticket and feel that there were extenuating circumstances, those need to be explained (mitigated) in court. If you feel you did not commit the violation, the ticket needs to be contested (please see definition) in court. There are specific directions on the back of tickets describing how to do this. If you are still unsure about what to do, call the Municipal Court (425.587.3160).
7. If you are issued a ticket by a Kirkland Officer, you have the option of presenting your case in Teen Traffic Court (please see **Teen Traffic Court Section** for specifics).
8. Traffic laws are governed by "strict liability". This means that even though you didn't mean to do something or didn't know it was illegal, it is still your responsibility. If you have a question about something, ask the officer or check the Revised Code of Washington (RCW) Title 46.
9. If you are searched or arrested as a result of a "routine stop", the officer had some reasonable suspicion to suspect a crime. If you are under 21, an officer can place you under arrest upon seeing an open container of alcohol in the vehicle, smelling alcohol on your breath or smelling marijuana in the vehicle. If you are arrested, you and your vehicle may be searched without a warrant.

TEXT MESSAGING AND CELL PHONE USAGE WHILE DRIVING

January 1, 2008 marked the effective date of Washington's law on text messaging. If you are operating a moving motor vehicle, and send, read or write a text message, you are in violation of the text messaging law.

The other law associated with driving and cell phones, went into effect July 1, 2008. This law states that a driver using a wireless device on their ear while driving is guilty of a traffic violation. Exceptions to this rule include hands free devices, calling for emergency help and reporting illegal activity. Also, individuals with an Intermediate Driver's License are not allowed to use a mobile device at all – not even away from your ear or on hands free mode.



TEEN TRAFFIC COURT

Have you received a ticket from a Kirkland officer? If so, you can have it removed from your record. During your high school career you have one opportunity to be heard by a judge and jury of your peers. They will listen to your story, ask you questions, and assess a penalty. You have 180 days from when you signed up for the program to complete your assigned penalty. Once you have this completed and have turned in the appropriate documentation, the violation will be taken off your driving record.

Eligibility Requirements:

- You must be currently enrolled in high school.
- You must have received your ticket from a Kirkland, Clyde Hill, Medina, Hunts Point or Yarrow Point officer (jurisdictions served by the Kirkland Municipal Court).
- The ticket must be a Moving Violation.
- Tickets issued in School and Construction Zones are NOT eligible for Teen Traffic Court.
- You have one chance to participate in Teen Traffic Court.
- If you do not show up for your court date or do not complete your assigned penalty, your ticket will be sent to collections and you could receive additional fines and penalties.

To sign up for Teen Traffic Court, stop by the Municipal Court 11740 NE 118th Street, with your ticket and student ID.

If you have any questions about the program, please call 425- 587-3323.



SEARCHES

Requirements that allow searches are dictated by where you are. The guidelines for a police officer are quite different than for your school principal. The U.S. Supreme Court has given great weight to a school's need to maintain security in order to create an "environment in which learning can take place." A student and their property may be searched at a school without a warrant. School staff don't have to have probable cause (please see definition), just reasonable grounds (see definition). Students **DO NOT** have the right to privacy when it comes to their locker. Lockers are considered school property and can be searched.

Police Searches

- Police officers need to have permission, reasonable suspicion or some extenuating circumstances (i.e. possession of a weapon) in order to search you (see definition of frisk as a search is much more extensive).
- If an officer asks for your permission, they also need to tell you that you have the right to refuse the search, the right to stop the search at anytime and to limit the area of the search.
- You are not entitled to be searched by an officer of the same gender as you. Searches are conducted by the officer who originally contacted you. Officers are expected and required to be professional at all times.



SEARCHES

- If the officer insists on conducting the search despite a protest from you, they likely have probable cause to arrest you, they suspect possession of a weapon, or have a warrant (see definition) for a search. If an officer conducts a search that is determined to be unlawful by the courts, all evidence found during that search will not be allowed in court. Officers do not want to lose their cases and do not search people unlawfully. Officers may only search unlocked compartments of a vehicle, unless they obtain a warrant for the search. When a warrant is requested, an officer will explain to the judge why they believe there may be evidence in the vehicle. The judge will then allow or deny the search. During the time the police are requesting a search warrant, you will not be allowed to access your vehicle and/or belongings.
- If you are arrested, you are searched prior to your arrest. If you are arrested out of a vehicle, both you and your vehicle are searched. The search of the vehicle is to collect additional evidence of the crime.
- If you feel that the search was unreasonable or that your rights have been violated, you may file a complaint. Arguing or resisting at the time of the search is not to your benefit. You may even face further criminal charges.

School Searches

- Students are subject to search by school/district staff if reasonable grounds exist that a student has violated the law and/or school rules.
- Staff must report a student's suspicious activity to the principal prior to starting a search unless it is an emergency situation.
- Staff must establish reasonable grounds by:
 1. Identifying the student's suspicious conduct.
 2. Identifying the source of the information.
 3. Identifying the reliability of the information.
 4. Ensuring that the suspicious conduct is in violation of the law and school rules.
 5. Gauging the likelihood that the student possesses or has concealed any item, material, or substance which would be evidence of a violation of school rules or the law.

SEARCHES

- Once reasonable grounds have been established, school staff must conduct the search as follows:
 1. If evidence of criminal activity is suspected and prosecution by civil authorities will be recommended, law enforcement must be contacted immediately.
 2. The student will be asked to remove all items from packets, purses, backpacks, etc.
 3. If the student refuses to cooperate, they will be held until their parent/guardian is available to consent to the search. If they can't be reached in a reasonable period of time, the school principal can search without the student's consent.
- When staff questions a student, they are not required to inform them of their rights. Only police officers are required to do so.

ARRESTS

If you are arrested, keep in mind that:

- Even if you aren't guilty, go with the officer. You will be able to make your defense in court.
- You have the right to remain silent and can choose not to tell the officer anything, EXCEPT your name, age and address.
- If you are age 12 or older, police can question you without your parent/guardian present. The only person you have the right to be present is an attorney.
- Officers are required to read you your Miranda Rights (see definition) unless a warrant has been issued.
- If you are under 18, officers are required to contact your parent/guardian to inform them of what is going on.
- If you are not taken to a detention facility, you can only be released to your parent or another responsible adult.

LOITERING AND TRESPASSING

What is Loitering?

If you are hanging out in an area with no real purpose and there are signs posted that clearly prohibit trespassing, you are in violation. This includes hanging out and talking at a store/restaurant/café not buying anything and negatively affecting business by your presence.

What is Trespassing?

Some businesses enter into trespassing contracts that allow police to warn and remove people who are trespassing on their property. There are areas that are closed at certain times (i.e. schools and parks) and have those hours posted. Any person who is on the property after hours or is unauthorized to be there, can be arrested or ticketed for trespassing.

What About Parks?

All waterfront parks in the City of Kirkland close at 10PM and reopen at sunrise. The exception to this is Marina Park which is open 24 hours a day. All non-waterfront parks close at 11PM and reopen at sunrise.

How is Trespassing Defined on School Property?

Schools are closed to the public after normal hours unless there is an extracurricular activity, school function, or City sanctioned event/activity.



TEEN DATING VIOLENCE

According to recent statistics, it is extremely likely that you or someone you know has experienced violence in a dating relationship. It crosses all racial, economic, and social lines. Dating violence isn't just about hitting someone. It includes psychological and emotional abuse, sexual abuse, and, of course physical abuse.

Psychological and emotional abuse includes the following:

- Humiliation
- Insults
- Threats
- Swearing
- Controlling other's activities
- Destroying other's self confidence and self esteem
- Isolating other from friends and family

Physical abuse includes:

- Hitting
- Slapping
- Punching
- Shoving
- Kicking
- Biting
- Hair-pulling
- Use of any type of weapon

Sexual abuse includes:

- Unwanted sexual activity
- Rape
- Coercion or pressure to engage in a sexual activity
- Trying to engage in sexual activity with someone who is under the influence of drugs or alcohol

TEEN DATING VIOLENCE

What's so unique about teen dating violence?

Teens are at particular risk to dating violence situations because of some unique factors:

- Minimal experience with dating relationships
- Influence and pressure from peers
- Tendency to have a "romantic" view of love; confusion of control and jealousy with love.
- Desire to be independent from parents and other adult figures.

Dating Bill of Rights

I have the right to:

- Always be treated with respect
- Be in a healthy relationship
- Not be abused-physically, sexually, or emotionally
- Keep my body, feelings, beliefs, and property to myself
- Have friends and activities apart from my boyfriend/girlfriend
- Set limits and values
- Say no
- Feel safe in the relationship
- Be treated as an equal
- Feel comfortable being myself
- Leave a relationship

I have the responsibility to:

- Determine my limits and values
- Respect the limits, values, feelings, and beliefs of others
- Refuse abuse-physically, sexually, or emotionally
- Communicate clearly and honestly
- Give my girlfriend/boyfriend space to be her/his own person
- Not exert power or control in the relationship
- Compromise when needed

TEEN DATING VIOLENCE

I have the responsibility to (continued):

- Admit to being wrong when appropriate
- Ask for help when I need it
- Check my actions and decisions to determine whether they are good or bad for me

How to Get Help

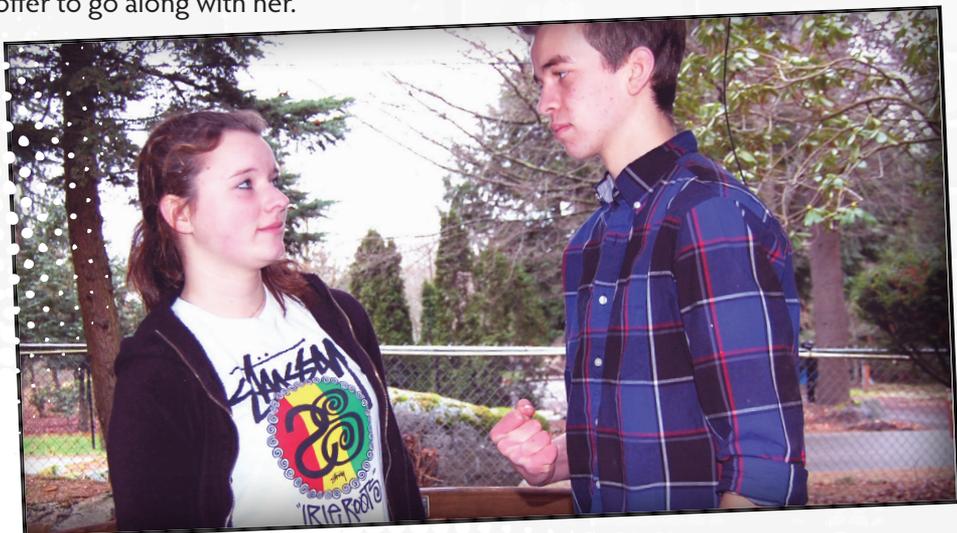
If you or a friend of yours is involved with a dating violence situation, don't be silent about it.

Getting Help for Yourself

It is important to remember that **NO ONE** deserves to be in an abusive relationship. You cannot change your partner, it will only get worse. Take care of yourself first. It is most important to talk about it and let someone know what is going on. Talk to a trusted adult, parent, teacher, pastor, mentor, etc. You can also call local domestic violence programs in our area (see Resources Section) for help. Remember, if you are in immediate danger, call 911.

Helping Friends

If you have a hunch that a friend is involved with an abusive relationship, let them know that you are concerned. Listen without judging, condemning or giving unwanted/uneducated advice. If your friend agrees to get help and talk to an adult, offer to go along with her.



STALKING

You've gotten an average of 20 text messages and 10 emails from the same person every day for the last few weeks or so. You didn't respond to any of them and they just keep coming and it is driving you nuts. Is this just an inconvenience and unwanted attention or are you being stalked? If you feel uncomfortable, threatened, annoyed or afraid, you may want to ask yourself the following questions:

- Is it reasonable for you to feel threatened as a result of the other person's actions?
- Has the behavior occurred more than once or on a regular basis?
- Is the situation unavoidable?
- Have you told the other person that their behavior makes you uncomfortable and they have continued?

If you answered yes to the above questions, the actions of the person in question may be considered stalking under the law.

You are not alone. Every year about 1 million women and about 400,000 men are victims of stalking in the US. Most victims are stalked for an average of 1.8 years. The physical and mental tolls of being a victim of stalking can have serious ramifications for the individual.

If you are a victim and need help, take the following steps:

1. Tell someone you can trust, parent, teacher, coach, pastor, etc. Keep in mind that some adults are considered "Mandated Reporters" (please see Definitions section for details) and may need to report your situation to police.
2. Trust your gut, pay attention and act accordingly. Don't second guess yourself when you think your safety and well being are at risk.
3. Document, document, document....everything. This includes emails, texts, voicemails and any communication from the stalker. It may be uncomfortable to save these items and information as they serve as a reminder. They will be vital when it comes to law enforcement assisting you in your case.
4. Talk to the police. Let them know what's going on when you first suspect wrong doing.

ON-LINE SAFETY

The anonymity of the Internet allows stalkers, sex offenders, scam artists and bullies to come in contact with people very easily. Some recent statistics show:

- 1 in 7 kids ages 10-17 received a sexual solicitation on-line
- 1 in 3 had unwanted exposure to pictures of naked people or sexual activity
- 71% of teens reported receiving messages from someone they don't know; 40% of those teens replied and chatted with that person
- 1 in 11 kids had been threatened or harassed
- 44% of harassers were offline acquaintances (peers) with their victim

It's important that you and your friends keep yourselves safe and are smart about using the internet and your cell phone.

- Never respond to harassing or rude comments
- Save or print the evidence
- Use a nickname that doesn't identify your gender, age, or location



ON-LINE SAFETY

- Don't post your plans or whereabouts on-line
- Talk to your parent/guardian if you are harassed and get help reporting it to your ISP, school, or Kirkland Police if you feel threatened
- Only share your password with your parent/guardian
- Change your passwords on a regular basis
- Use the password protect feature on your cell phone
- Use privacy settings to block unwanted messages
- Think before posting or sending photos – they could be used to hurt you
- Contact the site administrator if someone creates a social networking page in your name

What should I report?

- Anyone you don't know who asks for your personal information, photos or videos
- Inappropriate or obscene material from people or companies you don't know
- Misleading URLs that direct you to sites containing inappropriate material instead of what you are looking for
- Anyone that sends you photos or videos containing obscene content of people under 18
- Anyone who asks you to meet in person for sexual activities – NO ONE should EVER make sexual invitations to you on-line

BULLYING/HARASSMENT

DEFINITION

Bullying is defined as intentional, repeated, violent behavior aimed at hurting another person. Many people do not realize that bullying is a form of harassment and can be classified as criminal behavior. Acts of bullying can also be labeled as extortion, assault, slander, libel, etc. Bullying can take many forms including:

- Physical violence
- Verbal threats, name calling and put downs
- Threats and intimidation
- Extortion/Stealing money and/or possessions
- Spreading rumors
- Harassment via technology (cyber bullying)

IMPACTS

Victim

The impacts that bullying have on a victim can be serious and last a life time. It is not uncommon for a victim to suffer long term emotional and behavioral problems. This can include isolation, loneliness, depression, anxiety and, in the worst case scenario, suicide.



BULLYING/HARASSMENT

Bully

As mentioned above, bullying is considered harassment. A person who bullies is subject to being prosecuted.

CHARACTERISTICS

Victim

Kids who are victims of bullying typically have some characteristic that makes them stand out as different. This can include:

- Appearance
- Sexual orientation
- Intellect
- Socio-economic background
- Cultural or religious background

Bully

Kids who bully can come from any economic, cultural or racial background and are equally divided between males and females. Kids who are prone to bully typically:

- Lack empathy
- Are self-centered – concerned with their own desires rather than others
- Don't see things from the other person's perspective
- Are willing to use others to get what they want

HOW TO HELP

Peers are very effective when it comes to stopping bullying behavior. When peers intervene, bullying usually stops within 10 minutes. Remember, telling an adult about bullying behavior is NOT tattling.

WHAT CAN YOU DO?

- Tell the bully to stop – make them accountable for their behavior
- Help the victim walk away
- Recruit friends to help the victim
- Befriend the victim
- Get help from an adult

DEFINITIONS

Arrest Warrant: A court written order directing the arrest of an individual.

Code of Ethics: A code of conduct that each individual needs to think about. It shows what they stand for and how they portray themselves.

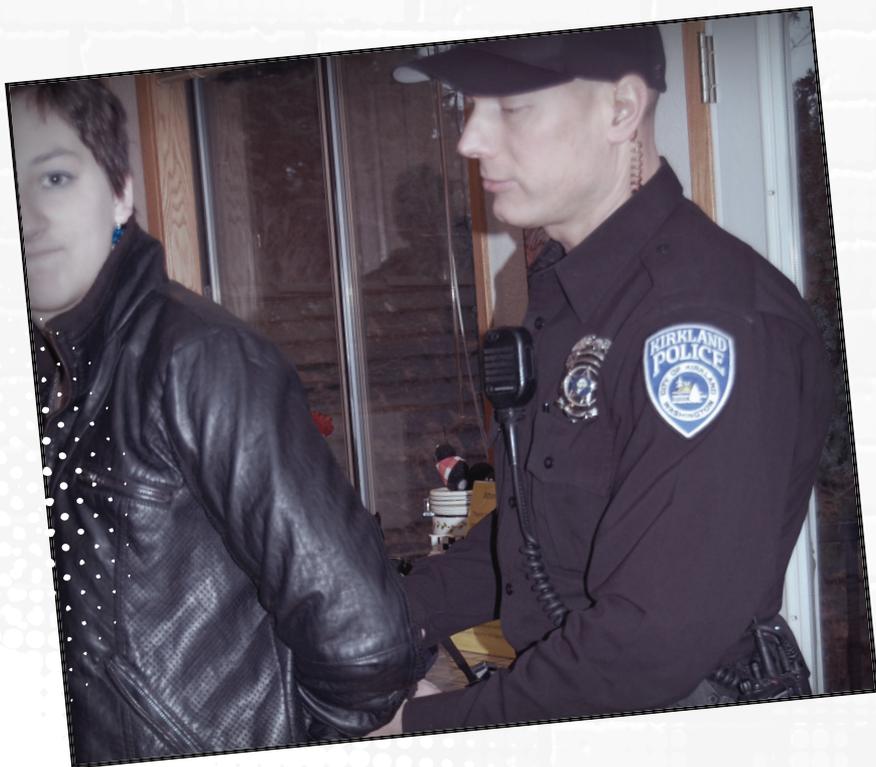
Complaint: A written statement that states that you believe that your rights have been violated by an officer.

Contested: To call into question and take an active stand against; dispute or challenge.

Controlled Substance: A substance intended to affect the structure or function of the body; this includes all prescription, non-prescription, and over the counter drugs.

Courtesy: Consideration for other people; cooperation with other people; giving someone the benefit of the doubt despite first impressions.

Criminal Offense: A violation of the law that you can be arrested for.



DEFINITIONS

- Cruising:** The repeated passage of a vehicle on a specific roadway without a designated destination over a certain period of time.
- Custody:** When a police officer takes immediate charge and control over a person.
- Detained:** When an individual is stopped and questioned by an officer regarding a crime. Police are allowed time to investigate the possibility of a crime and if that individual is involved.
- Disrespect:** Treating someone poorly without reason.
- DUI (Driving Under the Influence):** Operating a motor vehicle under the influence of intoxicating liquor or drugs.
- Felony:** A serious crime for which the minimum punishment in federal law is imprisonment for more than one year.
- Force:** Amount of physical or non-physical (i.e. weapon) contact used by an officer to gain compliance in a situation.
- Frisk:** A “pat-down” search – limited to a search for weapons with an officer’s safety in mind.
- Harassment:** To continually annoy someone with the intent to emotionally and/or physically harm or threaten them or their property.
- Informal Contact:** An officer has the right to have a conversation with anyone. There isn’t a requirement that a person needs to engage in the conversation, it’s just the courteous thing to do. If you have been identified as a suspect or person of interest in a crime, you must stay with the officer.
- Infraction:** A violation of law not punishable by imprisonment. This includes minor traffic offenses.
- Loitering:** To remain in an area for no obvious reason; not patronizing businesses in the area while affecting their business by your presence. This includes talking and hanging out.
- Malicious Mischief:** Knowingly and maliciously causing physical damage to the property of another; any damage that lowers the value of the property or where physical labor may be required to repair the property to its original condition. This includes tagging, toilet papering, egging, carving, and graffiti.

DEFINITIONS

Mandated Reporter: Some adults, based on their occupation, are required to report child abuse, neglect and/or a child's welfare endangerment to law enforcement. These people include; social workers, school personnel, health care providers, mental health professionals and childcare providers.

MIP/MIC (Minor in Possession/Minor in Consumption): A person under the age of 21 who has alcohol on their person or shows signs of consumption (i.e. odor, staggering, bloodshot eyes).

Miranda Rights: The rights that a police officer reads to you when you are arrested.

1. You have the right to remain silent.
2. Anything you say can be used against you in a court of law.
 - a. If you are under 18 anything you say can be used against you in a juvenile court prosecution for a juvenile offense and can also be used against you in an adult court criminal prosecution if the juvenile court decides that you are to be tried as an adult.
3. You have the right at this time to request an attorney and to have them present with you while you are being questioned.
4. If you cannot afford an attorney one will be appointed for you before any questioning, if you wish.

Waiver: If you consent to a waiver of your Miranda Rights either verbally, in writing, or by continuing to answer questions, the police may proceed with questioning. Any evidence may be used against you in court.

Misdemeanor: A crime less serious than a felony. Examples include; simple theft, vandalism, trespass, and disorderly conduct.

Moving Violation: When any wheeled vehicle (including cars, bikes, skateboards) breaks a traffic law.

Noise Ordinance: Within the city limits of Kirkland, it is illegal to allow audible sounds from a vehicle to emit more than 50 feet. Sound from any portable sounds system or home stereo that causes a public disturbance cannot emit more than 50 feet from the source. Noise violations are

DEFINITIONS

strictly enforced between the hours of 11pm and 7am. It is important to note that some noise like unnecessary horn honking, yelling, shouting, construction, and singing could be considered a nuisance and a noise violation. Be considerate of those around you. Noise in close living spaces (apartments, condos, etc.) carries very easily and will likely be handled differently than vehicle or stereo noise.

Pretext Stop: A stop where an officer detains a person for a minor crime because the officer actually suspects that person is involved with a major crime. Police are not allowed to make traffic stops based solely on race, sex, or type of vehicle. If there is a legitimate equipment, registration, or traffic violation the stop is valid. If there was reasonable suspicion for any crime the officer may stop the car. Officers may be stopping vehicle for minor violations in the area because they have received complaints in the area (speeding, suspicious vehicles, etc.).

Probable Cause: Facts and circumstances that would lead a reasonable police officer to believe that a crime has been committed and that they have the person responsible for that crime. Probable cause is simply a 51% chance that the police have the person responsible. They do not have to prove beyond a reasonable doubt.

Reasonable Grounds: A set of circumstances, which would lead an ordinary, cautious, and prudent person to believe that an offense has been committed. The belief must go beyond mere suspicion.

Reasonable Suspicion: When a police officer has more than “just a hunch” or a specific fact to believe a person has committed or is about to commit a crime.

Respect: A degree of consideration and favorable regard; generally an earned quality.

Search Incident to Arrest: An act to search a person including the person’s belongings and items that are within reach of where the person was who has been arrested without a search warrant.

Search Warrant: A written document that orders a specific location to be searched for items, which if found, can be used in a court as evidence.

DEFINITIONS

Truancy: Under the Washington State Compulsory School Attendance Law (“Becca Bill”), all children between eight and 18 must attend school. By law, a school district must file a truancy petition when there are seven unexcused absences in one month or 10 unexcused absences in a year. If you are deemed truant, you and your parents can be held accountable.

Violation: An unlawful act committed on a person, property, or rights of another.

SERIOUS OFFENSES AND CONSEQUENCES

Each of these offenses will **REQUIRE** you to appear in court hire a lawyer or obtain a public defender and you will have a criminal conviction on your permanent record that must be included on all job applications.

Offense	Description	Consequence(s)
Minor in Possession/ Consumption of Alcohol	A person under the age of 21 who has alcohol on them or shows signs of consumption. This would include smell, staggering, bloodshot eyes, etc.	Conviction of a Misdemeanor Up to \$1000 fine and/or Up to 90 days in jail
Minor In Possession of Tobacco	Anyone under the age of 18 who possesses cigarettes or any tobacco products.	Conviction of a Misdemeanor \$50 fine Four hours community service Participation in a Cessation Program
Sale of, Supplying or a venue for consumption of alcohol to a Minor	It is illegal for any person to sell, give or supply a minor alcohol. It is also illegal to allow under-age people to consume liquor on his/her premises or any premises under their control.	Conviction of a Gross Misdemeanor Up to one year in jail
Possession of a Controlled Substance	Possession of a controlled substance occurs if the person has the ability and intention to control it.	Felony conviction Possession of or intent to sell over 40 grams of marijuana can result in a felony. Up to five years in State prison Revoked voting rights

SERIOUS OFFENSES AND CONSEQUENCES

Offense	Description	Consequence(s)
Driving Under the Influence of Drugs/Alcohol	A driver under the age of 21 is considered under the influence if they have an alcohol concentration of .02 or more or have a THC concentration above 0.00.	Conviction of a Gross Misdemeanor Suspended license up to 30 days for first offense; third offense can result in permanent revocation of Driver's License Up to \$2,000 fine for first offense. Increased insurance rates and difficulty getting insurance coverage Estimated costs of a single DUI conviction; \$6,000
Possession of a Firearm (under age 18)	You must be at least 18 to have a firearm. Exception to this is if you are hunting.	Felony conviction Up to five years in prison Revocation of voting rights
Possession of Dangerous Weapons		Conviction of Gross Misdemeanor Up to one year in jail Up to \$1,000 in fines
Domestic and Dating Violence		Conviction of a Gross Misdemeanor Up to one year in jail Up to \$1,000 in fines.
Theft		Liable for civil penalties <u>For items valued \$0.01-\$250:</u> Conviction of a Gross Misdemeanor Up to \$5,000 fine Up to one year in jail <u>For items valued over \$250:</u> Conviction of a Felony Five years to life in jail \$10,000-\$50,000 fine
Malicious Mischief	Knowingly and cruelly causing physical damage to another person's property. Examples include tagging, toilet papering, egging, carving, etc.	<u>For items valued \$0.01 to \$250:</u> Conviction of a Gross Misdemeanor Up to \$5,000 fine Up to one year in jail <u>For items valued over \$250:</u> Conviction of a Felony
Driving Without a License	As a part of your privilege to drive, you are required to have your driver's license on you at all times. This is a rule (law) that you agree to when you decide to drive.	<u>With ID:</u> \$550 Fine <u>Without ID:</u> Criminal offense – mandatory court appearance
Reckless Driving	Driving a vehicle purposely disregarding the safety of persons or property. This includes circumstances when a person puts themselves at risk.	Gross Misdemeanor Up to one year in jail

SERIOUS OFFENSES AND CONSEQUENCES

Offense	Description	Consequence(s)
Negligent Driving	Negligent driving in the first degree is reckless driving plus the use of a controlled substance (i.e. alcohol). Negligent driving in the second degree is reckless driving where other people or property are at imminent risk.	<u>Negligent Driving I (Alcohol related):</u> Conviction of a Misdemeanor Up to \$1000 fine and or up to 90 days in jail <u>Negligent Driving II (Endangering person and/or property):</u> \$550 Fine
Noise Violation	In Kirkland, it is illegal to allow audible sounds from a vehicle to emit more than 50 feet. Sound from any portable sounds system or home stereo that causes a public disturbance cannot emit more than 50 feet from the source. Noise violations are strictly enforced between the hours of 11pm and 7am. It is important to note that some noise like unnecessary horn honking, yelling, shouting, construction, and singing could be considered a nuisance and a noise violation.	Criminal offense – mandatory court appearance
After Hours in Parks	All Kirkland Parks have hours clearly listed on signs.	Criminal offense – mandatory court appearance
Stalking	Of or pertaining to the act of pursuing or harassing.	Gross Misdemeanor / Class C Felony with prior convictions
Harassment	To continually annoy someone with the intent to emotionally and/or physically harm or threaten them or their property.	Gross Misdemeanor / Class C Felony with prior convictions

RESOURCES

<i>Washington Poison Control</i>	800.222.1222
<i>King County Sexual Assault Center</i>	800.998.6423
<i>Teen Line Link (6pm - 10pm)</i>	866.833.6546
<i>University District Youth Center</i>	206.526.2992
<i>Gay, Lesbian, & Transgender Youth Information Line</i>	206.547.7900
<i>Youth Suicide Prevention Program</i>	800.273.TALK
<i>Youth Care's Orion Center</i>	206.622.5555

Alcohol and Drug Treatment

<i>Alateen</i>	206.625.0000
<i>Alcohol & Drug Helpline</i>	206.722.3700
<i>Alcoholics Anonymous</i>	206.587-2838
<i>Narcotics Anonymous</i>	206.790.8888
<i>Youth Eastside Services</i>	425.747.4937
<i>Friends of Youth</i>	425.869.6490
<i>Lakeside Milan</i>	425.822.5095
<i>Northshore Youth & Family Services</i>	425.485.6541
<i>Youth Prevention Program</i>	206.296.7614
<i>Marijuana Anonymous</i>	206.414.9270

Crisis Lines - 24 Hour

<i>King County Sexual Assault Center</i>	800.998.6423
<i>Crisis Line</i>	866.427.4747
<i>Lifewire (Eastside Domestic Violence Program)</i>	425.746.1940
<i>Youth Suicide Prevention Program</i>	800.273.TALK
<i>King County Safe Place</i>	800.422.8336
<i>Washington Recovery Help Line</i>	866.789.1511

Discrimination

<i>Northwest Women's Law Center</i>	206.621.7691
<i>Seattle Counseling Service</i>	206.323.1768
<i>Seattle Human Rights Department</i>	206.684.4500
<i>Society of Counsel Representing Accused Persons</i>	206.322.8400
<i>Washington State Human Rights Commission</i>	206.464.6500

RESOURCES

Health Services

<i>AIDS Prevention Program</i>	206.296.4999
<i>Washington Poison Control</i>	800.222.1222
<i>Eastgate Teen Clinic</i>	206.296.9770

Homelessness

<i>Friends of Youth Outreach and Landing Shelter</i>	425.449.3868
<i>Friends of Youth 24hr Hotline</i>	206.236.5437
<i>Child Protective Services</i>	866.363.4276
<i>Denny Place</i>	206.328.5693
<i>National Runaway Safeline</i>	800.786.2929

Legal Services

<i>Lawyer Referral Services</i>	206.623.2551
<i>American Civil Liberties Union</i>	206.624.2184
<i>Public Defense</i>	206.296.7662
<i>Columbia Legal Services</i>	206.464.5911



ACKNOWLEDGEMENTS:

These materials were developed through a partnership between the Kirkland Youth Council and the Kirkland Police Department. Special thanks to the the Kirkland City Council, the KPD, the Kirkland Youth Council members as well as Kirkland Graphic Artist, Dimitri Ancira for their expertise and hard work.

The photos depicted in this publication are for illustration purposes only. All photos were staged with volunteers and are not represent any actual situation.

CITY OF KIRKLAND

RESPECT

GUIDE



kirkland youth council

