

Search and Seizure: Understanding Teen Rights and Freedoms

Search and seizure laws are essential for balancing the government's need for public safety with the individual rights of citizens. This is especially important for teenagers, who are often more likely to be stopped and searched by law enforcement. Understanding their rights can help teens protect themselves from illegal searches and seizures.

What Are Searches and Seizures?

A search occurs when law enforcement officers physically intrude into a person's privacy. Seizures occur when law enforcement officers take property from a person. Both searches and seizures must meet certain requirements to be considered legal.



Search and Seizure (Teen Rights and Freedoms)

by RaeAnne Thayne

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What Are Teens' Rights During a Search?

Teens have the right to:

- Remain silent.
- Have an attorney present during questioning.
- Refuse to consent to a search.
- Stop law enforcement from entering their home without a warrant.
- Be informed of the charges against them.

When Can Law Enforcement Search a Teen?

Law enforcement can search a teen without a warrant if they have:

- **Probable cause:** A well-founded belief that the teen has committed, is committing, or is about to commit a crime.
- **Reasonable suspicion:** A belief based on specific, articulable facts that the teen is involved in criminal activity.
- **Consent:** The teen voluntarily agrees to the search.
- **Exigency:** An emergency situation where waiting for a warrant would create a risk to public safety.

When Can Law Enforcement Seize Property?

Law enforcement can seize property from a teen if they have:

- **Probable cause** that the property is evidence of a crime.
- **A warrant** to seize the property.
- **Consent** from the teen to seize the property.

- **Plain view:** The property is in plain view and the officer has a right to be where they see it.

What Should Teens Do If They Are Stopped by Law Enforcement?

If a teen is stopped by law enforcement, they should:

- Remain calm and respectful.
- State their name and age.
- Ask why they were stopped.
- If asked to consent to a search, say no.
- If law enforcement starts to search without consent, ask them to stop.
- If law enforcement arrests the teen, ask for an attorney.

How Can Teens Protect Their Rights?

Teens can protect their rights by:

- Knowing their rights and exercising them.
- Carrying a card with their rights written on it.
- Learning about their rights through online resources or by speaking to a lawyer.
- Talking to their parents or guardians about their rights.

Consequences of an Illegal Search or Seizure

If a search or seizure is found to be illegal, the evidence gathered may not be admissible in court. The teen may also be able to file a lawsuit for

damages.

Understanding their rights during searches and seizures is crucial for teens. By knowing their rights, teens can protect themselves from illegal searches and seizures and ensure that their constitutional rights are upheld.



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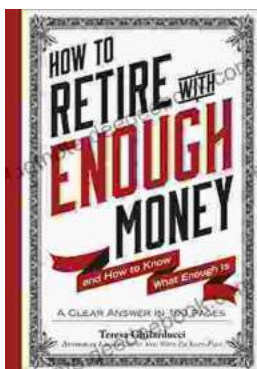
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