

STAYING SAFE AND ASSERTING YOUR RIGHTS TO PROTEST

TIPS AND GUIDANCE FOR PROTESTORS BY LAWYERS FOR CIVIL RIGHTS

BEFORE YOU LEAVE HOME

- ➔ **Tell a friend or family member where you are going.**
 - Arrange a check-in time so they can monitor your whereabouts, arrest or injury
 - Some organized events or activities may have a designated coordinator, find out the person's name and contact information.
- ➔ **Write your contacts' phone number on your arm in case you are arrested or injured.**
- ➔ **Bring \$40 in cash.**
 - In Massachusetts, \$40 is the fee charged for release, even if no bail is required.

INTERACTING WITH POLICE

You should always assess for yourself the risk of a police officer's reaction or response against the importance of asserting your rights

- ➔ **Speak loudly, clearly, but calmly.**
 - You may have to deescalate an interaction with police officers. Speech and body language are important de-escalation tools.
- ➔ **Keep your hands visible at all times.**
 - Placing your hands out of view may prompt a police search.
- ➔ **Respectfully ask if you are free to leave.**
 - If the answer is anything but "No"—then respectfully leave.

- ➔ **You are not required to say anything. You are not required to respond to questions.**
 - But, if you are operating a vehicle, you must provide identification if asked.
 - You never have to disclose your immigration status.
- ➔ **Police are required to have a reason to search your body, vehicle or property.**
 - If they ask to search, clearly and respectfully say: "I do not consent to a search."
 - Do not physically stop them if they search anyway, but do continue to verbally deny consent.

WRONGFUL POLICE ACTION

- ➔ **Resist with your words, not your body.**
 - You can be convicted of resisting arrest even if the officer had no other reason to arrest you.
 - Even passive action, like holding your arms stiff while being handcuffed, can result in conviction for resisting arrest.
 - Speak loudly. You can say that what they are doing violates your rights. You can call out a wrongful arrest, wrongful search, wrongful seizure of items, etc.
 - Ask bystanders to video record the encounter and to serve as witnesses.

USING YOUR PHONE

- ➔ **You have the right to video record police officers in public in the course of their official duties.**
 - You do not have to tell officers you are recording.
 - Officers can move you a certain distance from a scene for safety. If they are abusing this by placing you too far, you should say that loudly and clearly. Narrate what you can see that the video cannot record.
 - Do not physically resist.

Did you see or experience police misconduct?
Contact us: 617-482-1145

USING YOUR PHONE (CONTINUED)

- ➔ **Make sure your phone auto-locks and requires a password**
 - Police cannot require you to provide the password to your phone.
 - Anything that appears on the phone screen will be available to them and can be used against you.
- ➔ **Consider a streaming app or one that auto-uploads your videos to the cloud**
 - Police should not delete data or confiscate your phone, but this could help secure your video in the event that they do.

IF YOU ARE ARRESTED

Once there is an arrest, there will be charges. Trying to explain or talk your way out of a situation will not help. Exercise your right to remain silent and request an attorney.

- ➔ **Alert bystanders at the scene of your name. Ask them to video record.**
- ➔ **DO NOT TALK.**
 - Tell officers “I am asserting my right to remain silent.”
 - You are not required to answer questions.
 - If you speak—which you shouldn’t—you should not lie.
- ➔ **Assume that you are being recorded.**
 - Remember, everything that you say and do can be used against you.
 - Do not discuss anything over the phone from the police station or the jail.

LOOK OUT FOR ONE ANOTHER

Some protesters have more privilege than others and will be safer in police interactions. Protestors should rely on each other for protection.

- ➔ **Stay aware of your surroundings.**
- ➔ **Be a good witness.**
 - Video what you can.
 - Try to record officer names and badge numbers.
 - As soon as possible, write down everything that you remember, including the date, time, location, and description of what happened. Write down the names of people who are involved, including witnesses.
 - Follow-up with victims and other witnesses.
- ➔ **Ask for the victim’s name so that you can help them out later.**
 - Contact protest organizers to alert them of any arrest or injury.