

BEST PRACTICES FOR SAFE PROTESTING

PREPARING FOR A PROTEST

GENERAL PREPARATION ADVICE

- **HAVE A TRUSTED PERSON** who is not attending the protest on-call. Tell them where you are going, your date of birth, and your full name as it appears on your ID. Give them a copy of your keys, a list of your emergency contact numbers, medications (especially if you are transgender and/or disabled), and medical conditions. Provide them with contact information for **LOCAL** legal support groups such as your **LOCAL** National Lawyers Guild (NLG) chapter, your lawyer (if you have one), and/or bail fund assistance programs.
- Consider writing any relevant **PHONE NUMBERS** on a discrete area of your body using a permanent marker in case your phone is taken.
- **IF POSSIBLE**, wear layered, long sleeved clothing in dark colors, and bring an extra outer layer. Ensure all tattoos/piercings/body modifications/conspicuous hair colors that can be used to identify you are covered. Wear comfortable, close-toed shoes. If there are no local mask bans, consider wearing an N95/KN95 mask to prevent the spread of airborne disease.
- **LEAVE NON-ESSENTIALS AT HOME**. Avoid clothes with conspicuous logos or designs. Avoid bringing jewelry, expensive items, vapes, weapons, gender-affirming prosthetics, or anything else that you are not prepared to lose. Avoid wearing loose long hair, necklaces, neckties, or anything else that can be pulled or grabbed.
- **BRING** just enough cash for water, food, possible first aid supplies, and travel to and from the protest. Do not bring your daily commuter metro card to the protest. Consider giving your trusted person enough cash to pay the standard local fine or bail bondsperson fee for a misdemeanor.
- **AVOID** bringing a credit or debit card.
- **BRING** any necessary medications in their original packaging and original labels with your name on them.
- **AVOID** wearing Vaseline, mineral oil, oil-based sunscreen on your skin, or contact lenses, as these can trap chemicals.

PREPARATION FOR TRANS INDIVIDUALS

- Bring your most up-to-date ID. It is possible that your ID may be confiscated; therefore, bring the form of ID that can be most easily replaced. Consider carrying a **COPY** of your name change documentation but **DO NOT BRING** the original.
- Some states and localities have implemented laws banning trans people from using bathrooms of their gender. Many of these laws are not enforced, but you may still be at risk of arrest if you use a public restroom while protesting in a jurisdiction with one of these laws. Try to identify single- occupancy restrooms near the protest that you can use.

PREPARATION FOR DISABLED INDIVIDUALS

- Ask organizers about the accessibility of their event.
- If you need to wear a mask for **HEALTH REASONS** in a jurisdiction with a mask ban, check the specific ban passed by the city/state to see if there is an exception for mask-wearing for health reasons.
- If you cannot stand for the entire protest, be aware that some towns have laws against people sitting or lying down on the street or sidewalk. Check the **LOCAL LAWS** and map out potential benches and seating areas or consider bringing a collapsible stool that can be folded or moved.
- Check your **STATE LAW** regarding your right to use an employee bathroom if there are not public bathrooms available.

PREPARATION FOR IMMIGRANTS

- Keep a copy of your immigration papers with your trusted person who can get them to you or relevant legal parties.
- Bear in mind that arrest or detainment might prevent you from reporting to immigration officials, which may impact your immigration status.
- If you are a lawful permanent resident, bring a **COPY** of your green card with you, but **DO NOT BRING** the original.
- If your only ID is from another country, you may be reported to ICE even as a naturalized U.S. citizen. You should weigh the risks of bringing a foreign ID, given the possibility of being profiled and having your ID confiscated.
- If you are undocumented, **DO NOT** carry documents issued by other countries. Know that ICE may deport you without a hearing.

WALLET CARD

(cut out, fill in the back and keep it with you)

IF YOU ARE ARRESTED, REMEMBER THAT YOU ALWAYS HAVE:

1. The Right to Remain Silent

You are not required to answer questions beyond identifying yourself.

Say: **"I AM EXERCISING MY RIGHT TO REMAIN SILENT."**

2. The Right to an Attorney

You can request a lawyer and should not answer any questions until you speak with one.

Say: **"I WANT TO SPEAK TO A LAWYER."**

3. The Right to Peaceful Assembly and Free Speech

Peaceful protest is protected by the First Amendment. If arrested, you can challenge any unjust charges later. Seek legal advice from civil rights organizations such as the ACLU or NLG.

THIS KNOW YOUR RIGHTS GUIDE IS SPONSORED BY



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PROTEST PARTICIPATION

BEST PRACTICES IF STOPPED BY THE POLICE

- First, say **"Am I free to leave?"**
 - **If the answer is "yes,"** immediately leave the area; relocate to a spot without police presence.
 - **If you are not allowed to leave,** limit your responses to the following: **"I wish to remain silent."** **"I want to speak to an attorney."** **"I do not consent to a search."** Repeat the phrases as necessary.
- Police are legally permitted to LIE to you. Do not allow them to convince you to speak with them. They may claim to have evidence against you, offer you a "deal," or say you are "obstructing justice" by refusing to answer their questions.
- No matter what an officer says or does to you, **DO NOT** physically respond (such as pulling away from them or pushing them away). Regardless of the legality of the initial interaction with the police, physical response can result in charges for resisting arrest, assault, and/or battery.

GENERAL BEST PRACTICES

- You have a right to photograph anything on public property that is in plain view, including federal buildings and the police (for private property, the owner may set rules about photography or video). Police officers **MAY NOT** confiscate or demand to view your photographs or video without a warrant, nor may they delete the data.
- Subject to local ordinances, you have a right to distribute leaflets and other literature, picket, and set up tables on sidewalks if there is sufficient room for pedestrians to pass and no entryways to buildings are blocked.
- Consider writing down your **LOCAL** NLG Chapter and/or **LOCAL** NLG Mass Defense contact information, and your emergency contact on the attached Wallet Card.

DIGITAL SECURITY

- Your data, including your phone's location, can be used against you in investigations by the police. **Consider leaving your phone at home or bringing a burner phone instead.**
- If you bring your primary phone, keep your phone off when not actively communicating with others, and make all communications through end-to-end encrypted channels (such as Signal or Telegram) if possible. Turn off face/fingerprint unlocking – the police can legally compel you to use biometric unlocking mechanisms. Back up your photos/videos, or livestream to Instagram or Twitch to preserve footage. **Also, review the [Activist Checklist online for digital security tips.](#)**
- Remember that the phones of other users you are messaging could be seized at upcoming protests, and their chats accessed by the police.

LOCAL LEGAL CONTACT INFO

PERSONAL LAWYER CONTACT INFO

EMERGENCY CONTACT INFO

OTHER IMPORTANT CONTACT INFO

BEST PRACTICES FOR TRANS INDIVIDUALS

- Police department policies about interactions with trans and gender non-conforming people are **NOT** a guarantee that the police will abide by them.
- Consider the risks and benefits of disclosing your trans or nonbinary identity to the police. Disclosure can place you at risk of harassment, but also gives you the opportunity to assert your rights: **(1)** it is your right to ask law enforcement officers to address you by the name you regularly use and by your stated pronouns; **(2)** it is your right to ask for an officer of your gender to pat you down and search you; **(3)** if detained, you can request to be placed in a unit for vulnerable individuals if one is available; **(4)** if you are being isolated, you may ask why. If you are told it is because you are "at risk," you may ask to be processed more quickly for your own safety.

BEST PRACTICES FOR IMMIGRANTS

- If you are on a student visa, avoid actions that could lead to suspension from your university and/or immigration consequences. Consult with a **LOCAL** immigration attorney.
- **If arrested, you do not have to answer any questions about your immigration status or history.**
- Do not plead guilty to anything without first having your criminal defense attorney consult with an immigration attorney. Your criminal defense attorney has a legal obligation to do so.

BEST PRACTICES FOR DISABLED INDIVIDUALS

- Keep canes, braces, any critical medical supplies, and labeled medications or prescriptions with you at all times.
- Police are subject to the ADA and you can request reasonable accommodations (the more specific the better) such as: **(1)** ASL interpretation services or auxiliary aids; **(2)** having written instructions read out loud, or having instructions written out for verbal commands; **(3)** speaking clearly and/or slowly for lip-reading; **(4)** providing a more accessible exit route from the protest; **(5)** extra time to disperse; **(6)** help with exiting the protest; and **(7)** not using flashing lights.
- If you are arrested and require people or animals for support, make the police aware of your needs. If your support animal is not critical for your care, consider making a plan for your trusted person to take care of them while you are in custody if detained for more than a few hours.

The information contained herein is provided for informational purposes only, and should not be construed as legal advice.