

**For more information, read and share the following resources:**

**Amnesty International, How to Protest Safely:**  
<https://www.amnestyusa.org/protests/>

**Electronic Frontier Foundation, Surveillance Self-Defense: Attending a Protest:**  
<https://www.amnestyusa.org/protests/>

**National Lawyers Guild, Know Your Rights:**  
<https://www.nlg.org/know-your-rights/>

**ACLU, Know Your Rights: Protestors' Rights:**  
<https://www.aclu.org/know-your-rights/protesters-rights/>

**Civil Liberties Defense Center, Know Your Rights for Activists:**  
<https://cldc.org/know-yourrights-for-activists/>

**Law for Black Lives/National Lawyers Guild DC Jail Support Hotline:**  
**(202) 888-1731**

**PDS Protest Hotline, available 24 hours a day, 7 days a week, all calls confidential and free of charge:**  
**(202) 824-2463**

**National Lawyer's Guild, DC Chapter, Mass Defense Election Hotline:**  
**(202) 567-6416**

## Contact information

[info@shutdowndc.org](mailto:info@shutdowndc.org)

<https://ShutdownDC.org>

**Note: This pamphlet does not constitute legal advice. If you have specific legal concerns, seek the advice of a licensed attorney. See the inside flap of this pamphlet for groups that can help connect you to legal counsel.**

### **If you feel your rights have been violated**

Police misconduct can't be challenged on the street. Try to record the incident on your phone or write down everything you can: badge & patrol car numbers, which agency the officers were from, and contact information for witnesses. Take photos of any injuries (but seek medical attention first!). Keep all official paperwork and receipts for medical treatment. Then file a written complaint with the agency's internal affairs division or civilian complaint board. Contact an attorney for additional help.

**KNOW**

**YOUR**

**RIGHTS:**

**PROTESTING IN**

**WASHINGTON DC**

**SHUTDOWNDC**

## First Amendment 101

The First Amendment explicitly protects free speech, particularly political speech—but protesting rarely involves just speech. **Actions** like marches, sit-ins, rallies, etc. can be restricted by local governments and law enforcement.

Our First Amendment protections are **strongest** when we're in a "traditional public forum"—places like sidewalks or public parks.

Our First Amendment protections are **weakest** when we aren't on property open to the public (someone else's private property, restricted government property), when the actions we take to amplify our speech are regulated by law (like **blocking a road**), or when law enforcement declares an otherwise permitted gathering unlawful by **announcing a dispersal order**.

Ensuring that you are taking every precaution to keep yourself and your devices and information safe helps to keep those you are protesting with safe, as well. As a general rule, police cannot search your digital devices without a warrant.

- **Consider doing the following:**
  - Set up a passcode.
  - Disable biometric logins, like fingerprint unlock and FaceID
  - If you do not need to actively use your phone during the event, turn on airplane mode to prevent location tracking.
- If police seize your phone, you **do not** have to turn over your passcode.
- Be mindful of what you record.

*Remember: Encrypted chat services only offer protection from hackers. Encryption **does not** protect chat records from search warrants or other court orders.*

## Know before you go

Even if you are attending a permitted event, if you are at a demonstration with a law enforcement presence, there is always risk of arrest. Be prepared—bring a valid government ID, make child/family/house/pet care-taking arrangements, and alert a designated emergency contact.

If you are a person with a disability, special medical needs, or limited English, you can carry a card explaining your situation. If you carry medicine, make sure it is in its original bottle, with info matching your ID.

**Dress for comfort and protection. Do not wear clothes that reveal identifying info (logos, tattoos, etc.) Do not wear/carry irreplaceable items, including jewelry.**

**Bring protective gear. Along with COVID-related gear like masks and hand sanitizer, goggles and heavy-duty gloves may be necessary if police deploy chemical agents.**

## If you're stopped by police

- Stay as calm as you can.
- Try to memorize the officer's name, badge number, and any other identifying information.
- **Remember: Police can lie to you.**
- You have the right to stay silent, even in response to "routine" questions. Assert that right out loud. Respectfully say: "I choose to remain silent, until I can speak with a lawyer." If you do speak, do not lie to any law enforcement officer.
- You have the right to ask whether you are being detained. Ask: "Am I free to leave?" If the officer says yes, you are free to walk away.
- If the officer says no, you have a right to ask why you are being arrested. Ask: "Am I under arrest?" If yes, ask: "For what crime?"

## If you're arrested

- You have a right to remain silent. You can assert this right at any time. **Say: "I wish to remain silent."** Repeat this if questioning continues. Do not expect to be read your Miranda rights.
- You have a right to speak to an attorney. **Say: "I want a lawyer."** You **do not** have to say or sign anything before consulting with an attorney. You **do not** have to consent to a search of your person or belongings.
  - If police attempt to search you or your belongings without consent, be sure to say aloud that you do not consent. **Say: "I do not consent to this search."** **Do not** physically resist if they continue against your wishes.

## Protesting in D.C.

DC has no cash bail. However, for minor infractions you may be given the option to "**post-and-forfeit**": pay \$50-100 (police will require exact change) up front to be released with an arrest on your record but no conviction and no further follow up necessary. Through this process, you forfeit your right to a trial.

Be familiar with both local and the many federal law enforcement agencies present in D.C. Know whether you will be in an area under local jurisdiction (like BLM Plaza) or federal jurisdiction (like Capitol Hill or Lafayette Square).

