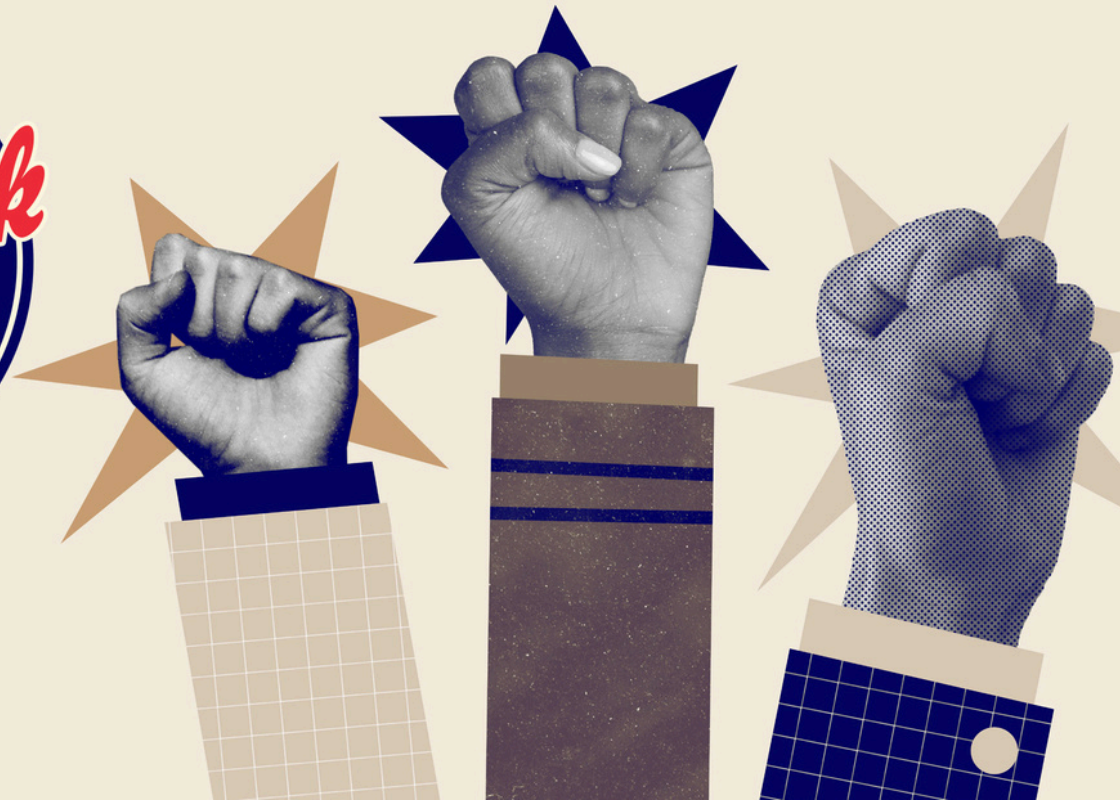




Best Practices for Exercising Your First Amendment Rights at Protests

THE FUNDAMENTAL RIGHT OF FREE SPEECH AND PROTEST ARE THE FOUNDATION OF THE LABOR MOVEMENT. IN LIGHT OF THE RECENT FEDERAL RESPONSE TO PROTESTS, WE NEED TO TAKE PRECAUTIONS TO ENSURE THE SAFETY OF OUR MEMBERS. WE URGE THOSE ENGAGING IN PROTESTS TO REMAIN PEACEFUL, NONVIOLENT, AND HELP EACH OTHER STAY SAFE. TO THAT END, WE URGE YOU TO BE MINDFUL OF THE FOLLOWING BEST PRACTICES.

PLEASE NOTE THIS IS NOT LEGAL ADVICE. YOU SHOULD CONSULT WITH A LAWYER IF YOU HAVE QUESTIONS ABOUT HOW THE FIRST AMENDMENT OR OTHER LAWS MAY APPLY TO YOUR SITUATION.

Exercising First Amendment Rights

Americans have the right of free speech and to peaceably assemble under the First Amendment of the U.S. Constitution. The First Amendment does not protect violence, vandalism, hate speech and other conduct that violates federal, state or local laws.

- Your rights may be stronger in what are known as “traditional public forums,” such as streets, sidewalks, and parks.
- You may also have the right to peaceably exercise your First Amendment Rights on other public property, like plazas in front of government buildings, as long as you are not blocking access to the government building or interfering with other purposes the property was designed for.
- Again, we recommend you consult with a lawyer if you have questions about your rights or how the law applies to your situation.

Be Prepared, Know Your Rights

1. It is recommended that, if you choose to participate in rallies or protests, you attend events organized by organizations you know and trust, or organizations trusted by your union.
2. When interacting with law enforcement, you should comply with all directions they give you, stay calm, be respectful (even if law enforcement is not).
 - a. Keep your hands visible.
 - b. Do not argue, resist, impede, or obstruct law enforcement, even if you believe your rights are being violated.
3. Non-US citizens, even lawful permanent residents, may face additional risks in attending protests.
4. Carry a government-issued ID, such as a REAL I.D., U.S. passport, or U.S. birth certificate.
5. Do NOT possess:
 - a. Illegal drugs (cannabis is not legal under federal law);
 - b. Any other drugs without a valid prescription; and
 - c. Weapons, or anything that may be misconstrued as a weapon.
6. If you need to bring essential medication, ensure it is clearly labeled in its original prescription bottle, ideally inside a clear ziplock bag along with a note from your doctor.
7. If you choose to bring your cell phone, you may want to ensure it is password protected and fully charged.
 - a. If you choose to bring your cell phone, don't solely rely on it. Write down any important phone numbers and keep it on your person.
 - b. Be aware that if an individual is detained, law enforcement may confiscate cell phones and seek to access your personal information.
8. Use the buddy system or attend with a group.
 - a. Establish a plan in case you get separated from your group or your cell phone battery dies, including an exit plan for how you will get home safely.
 - b. Share your plan with someone who will not be attending the event in case you need external support.
9. Consider wearing prescription eyeglasses instead of contacts as a precaution.
10. Wear comfortable, closed-toed shoes for marching and moving away from the crowd quickly, if necessary.
11. Consider bringing ear plugs with you to minimize damage from extremely loud sounds.

Deescalate

1. Outside individuals or groups may attempt to join the action.
2. If any of them attempt to cause disruption or get into altercations with law enforcement, you should not engage with those individuals and keep a safe distance.
3. If there are disruptions or altercations that make you feel unsafe, you should step away to a safer location or leave the action.
4. Use your best judgment; if you feel the need to leave an event, try to refrain from running—you might incite a panic, hurt someone, or hurt yourself. When possible, move quickly and calmly to the edge of the crowd, out of the crowd of people.

Protect Yourself:

1. If a tear gas canister is deployed, move away from the cloud, quickly and calmly.
 - a. You'll need to flush out your eyes with clean water, avoid using milk.
2. If you're exposed to pepper spray:
 - a. Avoid touching your face or any exposed area.
 - b. Pepper spray is oil-based so it can be trickier to remove and it spreads over skin. Water will help with symptoms, but won't remove irritating oils.
 - c. A diluted "no tears" shampoo can help.
 - d. Change your clothes as soon as you can.

Law Enforcement Interaction

1. If you are detained and questioned by police, you have a right to remain silent, and to speak with an attorney before and during any questioning.
2. If a law enforcement officer asks to see your phone or asks you to unlock it, you have the right to tell them that you do not consent to a search of your device.
 - a. If the officer insists, politely voice your objection but comply with the demand.
 - b. Even if you believe the officer's actions are unlawful, it's important to remain calm and avoid physical resistance or interfering with the officer's duties.
3. If you feel that your rights have been violated by a law enforcement officer:
 - a. You can write down everything you remember after the encounter (including the officers' badge and patrol car numbers and the agency they work for).
 - b. Request contact information for witnesses.
 - c. Take photographs of any injuries.
 - d. You can file a written complaint with the agency's internal affairs division or civilian complaint board. You can also contact a lawyer after the encounter and discuss your rights going forward.