

KNOW YOUR RIGHTS

Your rights are strongest in public forums like streets, sidewalks, and in front of government buildings, as long as you are not blocking access or interfering with operations.

The government may not restrict your speech on private property if you are protesting with consent of the property owner.

Protesters and counterprotesters have the right to free speech, and police must treat both groups equally.

Police may keep protesters and counterprotesters separated, but should allow groups to be within sight and sound of one another.

No permit is necessary to march on public sidewalks, as long as car and pedestrian traffic is not obstructed.

If you do not have a permit, police may ask you to move to the side of a sidewalk to let others pass or for other safety reasons.

There are several laws that prohibit pedestrians from entering and/or blocking highways or interstates.

It's important to know that if you engage in a protest on a highway or interstate, police can detain, arrest, and/or charge you criminally.

WHAT IF I AM DETAINED FOR RECORDING?

See this advice



Police officers may not confiscate or demand to view your photos or video without a warrant, nor may they delete data under any circumstances.

Police cannot force you to enter your pin number to open your phone, but they can make you use your face or fingerprint with a warrant. (not in ACLU document)

WHAT IF I BELIEVE MY RIGHTS HAVE BEEN VIOLATED?

When you can, write down everything that you remember, including the officers' badge and patrol car numbers and the agency they work for.

Get contact information for witnesses.

Take photographs of any injuries.

Once you have all of this information, you can file a written complaint with the agency's internal affairs division or a civilian complaint board.

WHAT IF THE POLICE ORDER PROTESTORS TO DISPERSE?

Shutting down a protest through a dispersal order must be law enforcement's last resort.

Police may not disperse a protest unless there is a clear danger of a riot, disorder, interference with traffic, or other immediate threat to public safety.

If officers issue an order to disperse, they must give reasonable opportunity to comply, including sufficient time and a clear exit path.

Protesters must receive a clear and detailed notice of a dispersal order, including how much time they have to disperse, consequences for failing to disperse, and what exit route they can follow before they may be arrested or charged with any crime.

WHAT IF I WANT TO TAKE PICTURES OR SHOOT VIDEO?

When lawfully present in any public space, you have the right to photograph anything in plain view, including federal buildings and police.

On private property, the property owner may set rules about photography and video.

Police may not confiscate or demand to view photographs or video without a warrant, nor may they delete data under any circumstances.

Police may order citizens to cease activities, including recording, that are truly interfering with legitimate law enforcement operations.

WHAT IF I AM STOPPED BY POLICE?

You are not responsible for deescalating police, but you are entitled to take steps that reduce your risk if stopped.

Stay calm and keep your hands visible. Don't argue, resist or obstruct police, even if you think they are violating your rights.

Ask if you are free to leave. If the officer says yes, calmly walk away.

If you are under arrest, you have a right to ask why.

Otherwise, say you wish to stay silent and ask for a lawyer immediately. Don't say or sign anything without a lawyer.

You have the right to make a local phone call, and police are not permitted to listen if you are speaking with your lawyer.

You never have to consent to a search of yourself or your belongings.

If you do explicitly consent, it may affect you later in court.

Police may "pat down" your clothing if they suspect you have a weapon and may search you after an arrest.

Arrested while protesting? Contact the National Lawyer's Guild at 612-444-2654

Original Version: ACLU-MN.org. Low-Ink version: amplifyingactivism.org (emphasis added)

This information is not intended as legal advice.