

Before You Go Checklist

Portland National Lawyer's Guild Jail Support: **971-247-1072**

- ☐ Review your rights as a protestor (see next page)
- ☐ Asses the risk level of the event. Know that any event has the potential to attract aggressors, from inconvenienced drivers to intentional menacing from white supremacists. Risk level can change rapidly based on these outside influences.
- ☐ Let someone who won't be at the event know where you're going and what do to in case of arrest or injury
- ☐ Pack any supplies you might need based on the risk level of the event

Low Risk	Moderate Risk	High Risk
- Family and kid centered events - Day time events in low traffic or supportive areas	- Day time events in high traffic or contentious areas - Day time events that may attract individual aggressors - Day time events in locations that don't usually experience protest - Night time events in low traffic or supportive areas	- Direct Action events - Night time events in high traffic or contentious areas - Events where large numbers of counter protestors are expected - Events where large police presence is expected
WHAT TO BRING: ☐ Comfortable shoes for walking ☐ Water to stay hydrated ☐ Basic first aid - Band aids - Pain relievers - Sunscreen - Extra face covering ☐ Emergency contact info, including lawyer <i>Suggested:</i> ☐ Individual First Aid Kit ☐ Signs or noise makers ☐ Snacks for long events	WHAT TO BRING: ☐ Comfortable shoes for walking ☐ Water to stay hydrated ☐ Additional water or saline for eye washes ☐ Basic first aid - Band aids - Pain relievers - Sunscreen - Extra face covering ☐ Emergency contact info, including lawyer <i>Suggested:</i> ☐ Individual First Aid Kit ☐ Signs or noise makers ☐ Snacks for long events	WHAT TO BRING: ☐ Shoes you can run in ☐ Clothing that covers skin and identifying characteristics (colored hair, tattoos, etc) ☐ Water to stay hydrated ☐ Additional water or saline for eye washes ☐ Basic first aid ☐ Lawyer's contact written on your body (arm not recommended) <i>Suggested:</i> ☐ Individual First Aid Kit ☐ Self defense items*: shields, body armor, helmets, bear spray, etc. ☐ Phone at home or turned off

* Note that bringing these items may increase the likelihood of arrest or criminal charges

YOUR RIGHTS AS A PROTESTOR

- Your rights are strongest in what are known as “traditional public forums,” such as streets, sidewalks, and parks. You also likely have the right to speak out 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.
- Private property owners can set rules for speech on their property. The government may not restrict your speech if it is taking place on your own property or with the consent of the property owner.
- Counterprotesters also have free speech rights. Police must treat protesters and counterprotesters equally. Police are permitted to keep antagonistic groups separated but should allow them to be within sight and sound of one another.
- When you are lawfully present in any public space, you have the right to photograph anything in plain view, including federal buildings and the police. On private property, the owner may set rules related to photography or video. Recording the acts of fellow protestors that could incriminate them should be avoided at all costs. Avoid recording faces, identifying characteristics, unique clothing, and license plates.
- You don’t need a permit to march in the streets or on sidewalks, as long as marchers don’t obstruct car or pedestrian traffic. If you don’t have a permit, police officers can ask you to move to the side of a street or sidewalk to let others pass or for safety reasons.
- Police officers may not confiscate or demand to view your photographs or video without a warrant, nor may they delete data under any circumstances. However, they may order citizens to cease activities that are truly interfering with legitimate law enforcement operations
- If you are videotaping, be aware that there is an important legal distinction between a visual photographic record (fully protected) and the audio portion of a videotape, which some states have tried to regulate under state wiretapping laws. In Oregon, you must explicitly state to those whose conversations you are recording that they are being recorded. However this doesn’t apply to police while they are performing official duties, you are in a place you are lawfully allowed to be, and your recording device is in plain view.

YOUR RIGHTS DURING ARREST

- If a police officer is not in uniform, ask them to show identification. Always get a badge number and name.
- 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 remain silent and ask for a lawyer immediately. Don’t say anything or sign anything without a lawyer.
- You have the right to make a local phone call, and if you’re calling your lawyer, police are not allowed to listen.
- You never have to consent to a search of yourself or your belongings. If you do explicitly consent, it can 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.