

The First Amendment to the U.S. Constitution protects “the freedom of speech” as well as “the right of the people peaceably to assemble.” That means you have a **constitutional right to demonstrate**. Police in D.C. generally understand and respect that right. Still, it pays to be prepared. This guide can help.

PART 1. PLAN AHEAD

KNOW THE TERRITORY

D.C. has four quadrants: NW, NE, SE, and SW. They meet at the Capitol. Most monuments and federal buildings are on and around the National Mall, which divides NW from SW. If you see an address, pay attention to the quadrant!

GETTING A PERMIT

Getting a permit is a good idea to alert police what you’ll be doing and reserve your location. Rules and procedures vary based on location. For details, visit: acludc.org/permits

PREPARE TO ENCOUNTER LAW ENFORCEMENT

- **Risking arrest?** Carry \$100 cash and 3 days’ worth of any essential medication, in its original bottle. Make emergency childcare plans if you have children. Put a password on your phone to protect against searches. Memorize (or write on your arm) numbers for your family, your lawyer, and jail support.
- **Not a U.S. citizen?** Know your immigration number (“A” number) if you have one. Talk to a lawyer about the risks of arrest before participating, especially if you are undocumented. For additional guidance, visit: nipnlg.org/marchact.html.
- **Undocumented, under court supervision, or have a record?** Think hard and talk to a lawyer about the risks of arrest. Consequences can be worse for you than most people.
- **A person with a disability, special medical needs, or limited English?** Carry a card or wear a bracelet to explain your situation should the need arise.
- **Gender non-conforming?** MPD respects gender designations on driver’s licenses so have an accurate license if possible.

PART 5. HOTLINES FOR SEEKING HELP:

(202)...

Public Defender Service for the District of Columbia Protest Hotline: 824-2463 (available through January 31, 2021)

Law for Black Lives DC—Arrest Support Hotline: 888-1731

PART 6. USEFUL GOVERNMENT NUMBERS & ADDRESSES:

(202)...

MPD Information	300 Indiana Ave NW	727-9099
Central Cell Block	300 Indiana Ave NW	727-4222
Park Police D-1	960 Ohio Dr SW	426-6710
Park Police D-5	1901 Anacostia Dr SE	610-8600
Capitol Police	119 D St NE	224-1677

For each precinct’s number, visit: acludc.org/precincts

GETTING MORE INFORMATION

Looking for specific information about a case? To learn...

- Time/room number of someone’s arraignment: call Pretrial Services at (202) 585-7030 ext. 2 or PDS at (202) 824-2463 (available through January 31, 2021).
- If someone has been arrested by MPD: (202) 727-4383 (*Federal authorities won’t tell you whether someone has been arrested.*)



DEMONSTRATIONS IN D.C. KNOW YOUR RIGHTS

Black Lives Matter DC

DC-NLG

www.dcnlg.org

#KeepDC4Me

Stop Police Terror Project DC

Law4BlackLives-DC

www.law4blacklivesdc.com

**ACLU of the
District of Columbia**
www.acludc.org



PART 2. KNOW THE COPS

D.C. has many police agencies. Which one you'll see depends on where you are. Here are arm patches for the major ones so you can recognize them.

LOCAL

Metro stations and D.C. streets and sidewalks are under local jurisdiction, policed mainly by:

D.C. Metropolitan
Police Department (MPD)



Metro Transit Police



FEDERAL

All **green space downtown** (even small parks), the **National Mall, federal buildings/monuments** (and nearby sidewalks), and **Rock Creek Park** are **federal** land, policed mainly by:

Park Police



Federal Protective Service



Capitol Police

(near U.S. Capitol/Union Station)



Secret Service

(uniformed)



PART 3. LAW ENFORCEMENT: DOS & DON'TS

When interacting with police

- **Do** keep your hands in plain view.
- **Do** feel free to videotape officers; it's legal as long as you're not so close to them as to be interfering.
- **Do** ask: "**Am I free to leave?**" If the officer says yes, calmly and silently walk away.
- **Do** ask (if not free to leave): "**Am I under arrest?**" If the officer says yes, ask: "**For what crime?**"
- **Don't** make sudden movements or point at the officer.
- **Don't** touch the officers or their equipment.
- **Don't** yell or otherwise escalate the situation.

When being questioned

- **Do** say: "**I wish to remain silent**"—and repeat if questioning continues.
- **Do** try to memorize the officer's badge number.
- **Don't** say anything other than your name and address.
- **Don't** reveal information just because the police have made a promise to you; they can lie to you.
- **Don't** lie to the police or provide fake documents.
- **Don't** discuss your immigration status, country of origin, or show any immigration documents **unless** you have proof of valid, unexpired lawful status. Consider seeking more specific advice in advance if you are undocumented.

When being searched

- **Do** say: "**I do not consent to this search**" if the police try or ask to search you, your car, or belongings.
- **Don't** physically resist a search or struggle; if you do, you can be charged with assault.

When being arrested

- **Do** say: "**I wish to remain silent. I want a lawyer.**"
- **Do** give your name and address if asked.
- **Do** know that police can lie to you (if, for instance, they promise you'll get out faster if you answer questions).
- **Don't** resist, even if you believe the arrest is unfair.
- **Don't** give explanations or excuses.
- **Don't** sign anything you do not understand.

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 and 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 the Office of Police Complaints. Contact an attorney for additional help. To learn more about seeking the ACLU-DC's help to respond to violations of your rights, visit: acludc.org/help

PART 4. IF YOU ARE ARRESTED

- **Booking** may happen at the local precinct, Park Police headquarters, the Capitol, or a detention facility in Alexandria, Va. You will be either:
 1. cited [given a court date] and released;
 2. allowed to "post and forfeit" (pay to have case dropped; arrest will remain on record but no conviction)—amount depends on charge but usually \$25-100 for demonstration-related offenses; or
 3. detained at the police station and later transferred to Central Cell Block, 300 Indiana Ave NW (or in Alexandria), until your court hearing, where you will appear by phone or video.
- **Signing papers.** Read all papers fully. Ask for an interpreter if you need one. Don't write or sign a confession or waiver of rights—or sign anything you don't understand. If you are given a "waiver" card, check the box that you will not answer questions without a lawyer.
- **Phone calls.** You can ask for one, and the police often allow one, but they may refuse. Be aware that calls to people other than your attorney may be recorded. You have the right to be brought before a judge promptly, which may mean the next business day.
- **Charging.** Prosecutors decide, during business hours, either to charge you or "no-paper" the case (let you go).
- **Pretrial services interview.** If detained and set for arraignment, D.C. Pretrial Services Agency or Court Social Services will interview you. The interview is voluntary but not confidential. Do not talk about the incident and arrest, or any unlawful activity. If you are undocumented, do not answer questions about your immigration status or country of origin. The judge may use the interview to decide whether or not to release you.
- **Presentment/Arraignment** is when you learn the charges against you, and whether you'll be released pending your next court date. Presentment/Arraignment is not trial. Details in the next section.

PRESENTMENT/ARRAIGNMENT

- A lawyer will be there to help you. You will be charged with a crime and may (depending on your income) be given a lawyer to help going forward.
- If you have immigration concerns, be sure to alert your lawyer during a confidential phone call about those concerns.
- The judge decides whether to release you, and you will have a date set for your next hearing. If you are undocumented or deportable, it is possible that you will be transferred into Immigration and Customs Enforcement custody after release.
- The government may seek an order that you stay away from where you were arrested. If you want to return there to protest or for another reason, tell your lawyer why and ask your lawyer to object.
- You'll likely be presented/arraigned the day after arrest (same day if arrested early). Saturday arrestees must wait until Monday.
- Presentment/Arraignment occurs at Superior Court, 500 Indiana Ave NW, Courtroom C-10 starting at 1 pm. For juveniles, court begins at 11 am or after. No arraignments on Sundays.