
Know Your Rights: Demonstrations & Police Encounters

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Obligatory Disclaimer

This is a general overview of issues that may arise in political demonstrations and police encounters. The information presented is not offered or intended as legal advice.

Demonstrations: 1st Amendment

KNOW YOUR RIGHTS

Does a police officer need a reason to pull me over?

Legally, yes, but you can't refuse to pull over just because the officer doesn't have a reason, so in reality, no.

Do I have the right to refuse a search?

Legally, yes, but an officer might just search your car anyway and then say that you consented, so in reality, no.

Does an officer have to have probable cause in order to arrest me?

Legally, yes, but if the officer doesn't have probable cause he might just arrest you anyway, so in reality, no.

Can an officer use deadly force on me even if I pose no threat?

Legally, no, but an officer could just use deadly force on you anyway, so in reality, yes.

**TECHNICALLY YOU HAVE RIGHTS.
IF KNOWING THEM MAKES YOU
HAPPY, GO FOR IT.**



1st Amendment

Prohibits the government from infringing on certain rights, including:

- Freedom of Speech
 - Freedom of Peaceable Assembly
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1st Amendment

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

1st Amendment

While the 1st Amendment Protects against restraint by *federal, state, and local government* actors:

- Legislative restraints
 - Judicial restraints
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1st Amendment

Government may not restrict or punish speech/assembly
based on content or viewpoint

1st Amendment

Government may regulate the *time, place, & manner* of speech/assembly.

Examples:

- Permits for use of certain public places
 - Noise ordinances & regulations of sound equipment,
 - Restrictions on posting signs or flyers
 - Prohibitions against blocking pedestrian or vehicular traffic
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