

# AFL-CIO

AMERICA'S UNIONS

## UNION VOLUNTEER GUIDE

### Best Practices for Peaceful First Amendment Activity, Safety and Legal Protection

Unions have a long history of engaging in peaceful First Amendment-protected activities. Indeed, much of today's First Amendment law was established as a result of union members exercising their rights to assemble and protest. The information in this document addresses lawful First Amendment-protected protest activity—not civil disobedience. Because there has been a significant uptick in government threats of reprisal against individuals who engage in First Amendment-protected protest, union leaders and staff should be prepared for the possibility of arrest even when their actions are entirely lawful.

*Important: This provides general guidance only and does not constitute legal advice. Always consult legal counsel for advice specific to your situation.*

#### BEFORE THE EVENT

##### What to Bring

- Government-issued ID
- Criminal attorney contact information (written on card and/or your body in permanent marker)
- Essential medications in original bottles with doctor's note
- Emergency contact list (give copies to trusted colleagues not attending)

##### What NOT to Bring

- Recreational drugs, weapons or anything that could be misconstrued as a weapon
- Valuables or sensitive documents (other than your ID)

##### Phone Considerations

- If detained or arrested, police may confiscate your phone and attempt to access your personal information and contacts. To protect your sensitive information, the safest thing is not to bring a smartphone.
- But if you do:
  - Disable fingerprint/face unlock before events.
  - Use strong passwords and clear sensitive data beforehand.
  - Write down important numbers separately.

##### Safety Planning

- Participate only in rallies organized by organizations you know and trust—be wary of individuals who may try to instigate violence or illegal activity to discredit the demonstration.
- Use the buddy system and establish an exit plan.
- Share your plan—where you're going and when you expect to return—with someone not attending.

##### Special Risks

- Noncitizens (including permanent residents) and those with criminal records face additional consequences and should carefully consider whether to participate.

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## DURING THE EVENT

### Law Enforcement Interactions

- Stay calm, be respectful, keep hands visible.
- Don't argue, resist or obstruct even if you think your rights are violated.
- If you are stopped by law enforcement, ask whether you are free to leave.
- You don't have to consent to searches.
- Document badge numbers if safe to do so.

### Safety

- Don't engage with disruptors, counterprotesters or outside agitators.
- If you feel unsafe, move away or leave calmly (don't run).
- Tear gas: Move away, flush eyes with clean water.
- Pepper spray: Don't touch face, use diluted shampoo to remove oils.

### If Arrested

- During Arrest and Booking
  - Don't resist.
  - Immediately stay silent—only provide basic info (name, address, birth date).
    - But: Inform officers of serious medical needs if applicable.
- Phone Calls
  - Contact attorney or emergency contact.
- DO NOT
  - Discuss your case with anyone except your attorney.
  - Sign anything or accept plea deals without legal representation.
  - Provide device passwords or waive rights.

### If You Witness a Colleague's Arrest

- Stay calm; don't interfere.
- Document, if safe: name, time, location, officers' badge numbers, circumstances. Alert union and gather witness information. Preserve evidence but don't post identifying images.

### After Arrest/Release

- Seek medical attention if needed.
- Write a detailed account while your memory is fresh.
- Document injuries and preserve paperwork. Meet with an attorney about next steps and court dates.

## FINAL REMINDERS

- Prevention is best: Follow event organizer plans and instructions.
- Your safety comes first: Don't put yourself in unnecessary danger.
- Know your limits: Leave if you feel unsafe.
- Document violations safely: If rights are violated, record what you can in a safe manner.

## RESOURCES

- ACLU Protesters' Rights: [aclu.org/know-your-rights/protesters-rights](https://www.aclu.org/know-your-rights/protesters-rights)
- National Lawyers Guild: [nlg.org/massdefenseprogram/](https://www.nlg.org/massdefenseprogram/)
- Union Lawyers Alliance: [ula-aflcio.org](https://www.ula-aflcio.org)

***These best practices are for lawful, peaceful protest activity. The goal is to exercise constitutional rights safely while being prepared for unexpected situations.***

