

## Can I photograph or shoot video?

Yes, 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 about photography or video.

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.

**\* REDUCE RISK TO YOURSELF.** Keep your hands visible. Don't argue, resist, or obstruct the police, even if you believe they are violating your rights.

**If you feel like your right to free speech has been violated**, contact us at <https://aclu-co.org/need-legal-help/>

**ACLU**

Colorado

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# KNOW YOUR RIGHTS PROTESTS & DEMONSTRATIONS



## Where can and can't I protest?

- **PUBLIC FORUMS.** You can protest on streets, sidewalks, and parks, and plazas in front of government buildings, as long as you are not blocking access to the building.
- **PRIVATE PROPERTY.** Private owners can set rules for speech and photography on their property. No government restrictions on speech if protesting with consent of property owner.

## Can I hold counterprotests?

**Yes, counterprotesters also have free speech rights.** Police are permitted to keep antagonistic groups separated but should allow them to be within sight and sound of one another.

## I was stopped by the police while protesting...

- **FIRST AMENDMENT.** Point out that you are not disrupting anyone else's activity and that the First Amendment protects your actions.
- **DETERMINE IF FREE TO GO.** Ask the officer, "Are you detaining me, or am I free to go?" If yes, calmly walk away. If no, ask the officer what crime you are suspected of committing.
- **ASK WHY AND STAY SILENT.** If you are under arrest, you have a right to ask why. Afterwards, say "I'm going to remain silent. I'd like to see a lawyer." Don't say anything or sign anything without a lawyer.
- **MAKE A PHONE CALL.** You have the right to make a local phone call, and if you're calling your lawyer, police are not allowed to listen. They can listen to a call made to anyone else.
- **REFUSE SEARCHES.** If an officer wants to search your belongings and anything beyond patting down the outside of your clothing, say, "I don't consent to searches."

## Do I need a permit to protest?

**You don't need a permit to march in public forums**, 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.

### **EVENTS that may require permits:**

- A *march or parade* that requires blocking traffic or street closure
- A *large rally* requiring the use of sound amplifying devices
- A *rally over a certain size* at most parks or plazas

**A permit cannot be denied because the event is controversial** or will express unpopular views.

If the permit requires a fee for a permit, they should allow a **waiver** for those who cannot afford the charge.