

# ACLU – Protest Monitor Basics

## A. YOU ARE EYES AND EARS

1. Protest Monitors do exactly what their name implies – they **observe**. They are neutral observers – not demonstrators. Don't chant, carry signs, or otherwise participate in the activities, either pro or con – the purpose of your presence is to be neutral, and therefore a more credible witness.
2. Separate yourself from the protest but stand close enough that you can hear and observe what is happening. **You are not a peace keeper**; do not become involved in arguments about the "law" with law enforcement – you are there to observe.
3. **Document everything** the police and protesters do as thoroughly as possible. This includes notes, photos, video, etc. When possible, write down officers' names or badge numbers or physical description. Clarify your contemporaneous notes as soon as possible afterwards. This includes being as accurate as possible – make sure the dates are set correctly on your cameras if you're using one, and wear a watch.

If using video recorders or cameras: Make sure your equipment is covered on your home/rental insurance in case anything is seized. If not, you may want to use a disposable camera or leave your camera at home.

If you are acting as a Protest Monitor, the ACLU considers any notes, photos or videos taken at protests to be attorney work product and confidential. Consider writing on the outside of your notebook: "Property of the ACLU of Georgia: Attorney/Client Privileged Information. Please return to ACLU of Georgia, PO Box 54406, Atlanta, GA 30308, without reviewing or examining the privileged contents." Inform the police officer of this if he or she insists on taking your notes or cameras. If she takes your property, contact the ACLU and write down the officer's badge number.

4. Make sure to record **what the protesters were doing** immediately before any arrest. For example, were they antagonizing the officer, calmly sitting down, running away from an officer giving an order, etc?
5. It is also important, perhaps even more important, to record **what the police were doing**. Did the police offer a warning prior to any arrests? Did the police offer an alternative to being arrested? Did they misquote the law?
6. The goal is to document incidents, arrests and official misconduct.
7. If you witness confrontations or incidents between protestors and counter-protestors (in other words, civilian problems without police involvement), contact one of the marshals in charge of the protest. If immediate intervention is needed because there is an actual physical assault in progress, notify the police. Do not become personally involved in the conflict.
8. The ACLU does NOT provide criminal defense for protesters who are arrested – the Protest Monitor notes are purely record keeping devices that we may need in a later civil lawsuit challenging police practices. Do not make any promises to anyone that the ACLU will in fact bring a civil lawsuit.

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9. Do not talk to the press – refer to the monitor coordinators, the ACLU, or to the protest organizers.
10. If anything happens that you feel needs immediate attention, contact the monitor coordinators, the ACLU at 404-523-5398, or the protest organizers.

## B. CIVIL DISOBEDIENCE

1. **Identify potential security risks:** Watch for persons that may infiltrate the demonstration and distract from the protest's message. Protest Monitors may want to work with protest organizers or the protest 'marshals' to ask these persons to leave.
2. If you know that some protesters are planning civil disobedience (that is, a deliberate act such as blocking traffic without permission, engaging in expressive activities separate from the protest, or other actions), follow those protesters, as they may be the ones who need the most documentation at the protest.

## C. INTERACTION WITH POLICE

1. Protest Monitors can help show the police necessary permits, statutes and other documentation. Neutrality does not mean that you can't offer to show the officer the correct reading of a statute or law.
2. It is important that Protest Monitors are not arrested. Your observations won't do any good if you are in jail—it will affect your credibility as a witness. Take all necessary steps you do not put yourself into a position where you can be arrested.
3. Try to make yourself readily identifiable with a distinctive indication of your status (a hat, badge, button, or other item labeled "ACLU" or "Protest Monitor" should be adequate). Introduce yourself to officers at the demonstration as a Protest Monitor if you can do so.
4. **Do not interfere with an arrest** – you can and will be arrested for interfering. Simply record what is occurring – that is your only job.
5. If you have any outstanding traffic tickets, warrants, immigration issues, etc. you may not want to attend the demonstrations, especially as a Protest Monitor.
6. **Disperse when asked – do NOT argue with police.** Try to find a better viewpoint out of the way; if you can't, call the monitor coordinator or the ACLU and let us know what happened.